

and for other purposes; to the Committee on Banking and Currency.

By Mr. ENGLE of California:

H. R. 5271. A bill to amend an act entitled "An act to allow credit in connection with certain homestead entries for military or naval service rendered during World War II"; to the Committee on the Public Lands.

By Mr. HAGEN:

H. R. 5272. A bill providing for a national referendum on the proposed loan to the Government of the United Kingdom of Great Britain and Northern Ireland; to the Committee on the Judiciary.

By Mr. HUBER (by request):

H. R. 5273. A bill to permit the payment of readjustment allowances after a 3-week waiting period to former members of the armed forces whose unemployment is due to a stoppage of work resulting from a labor dispute; to the Committee on World War Veterans' Legislation.

By Mr. McGEHEE (by request):

H. R. 5274. A bill to amend an act entitled "An act to establish standard weights and measures for the District of Columbia; to define the duties of the Superintendent of Weights, Measures, and Markets of the District of Columbia; and for other purposes", approved March 3, 1921, as amended; to the Committee on the District of Columbia.

By Mr. McMILLAN of South Carolina:

H. R. 5275. A bill to revive and reenact the act granting the consent of Congress to the State Highway Department of South Carolina to construct, maintain, and operate a free highway bridge across the Pee Dee River, at or near Cashua Ferry, S. C., approved April 30, 1940; to the Committee on Interstate and Foreign Commerce.

By Mr. RANDOLPH:

H. R. 5276. A bill to amend the act entitled "An act to provide for the payment to certain Government employees for accumulated or accrued annual leave due upon their separation from Government service," approved December 21, 1944; to the Committee on the Civil Service.

H. R. 5277. A bill to grant certain additional basic authority to the Civil Service Commission; to the Committee on the Civil Service.

By Mr. GORDON:

H. J. Res. 309. Joint resolution authorizing the President of the United States of America to proclaim October 11, 1946, General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. GRANT of Indiana:

H. J. Res. 310. Joint resolution authorizing the President of the United States of America to proclaim October 11, 1946, General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. WALTER:

H. Con. Res. 123 Concurrent resolution redeclaring the policy of the Congress with respect to reports required to be submitted to it which relate to the disposition of certain surplus property; to the Committee on Expenditures in the Executive Departments.

By Mr. CANNON of Missouri:

H. Res. 493. Resolution providing an allocation from the contingent fund of the House to the Committee on Appropriations for expenses of studies and examinations under House Resolution 50; to the Committee on Accounts.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CANNON of Missouri:

H. R. 5278. A bill to legalize the admission to the United States of Virginia Harris Casardi; to the Committee on Immigration and Naturalization.

By Mr. DAVIS:

H. R. 5279. A bill for the relief of Dixie Margarine Co., a Tennessee corporation, of Memphis, Tenn.; to the Committee on Claims.

By Mr. D'EWARD:

H. R. 5280. A bill to authorize the Secretary of the Interior to sell certain lands in the State of Montana to Lindly Nelson; to the Committee on Indian Affairs.

H. R. 5281. A bill to authorize the Secretary of the Interior to sell certain lands in the State of Montana to Robert Nelson; to the Committee on Indian Affairs.

H. R. 5282. A bill to authorize the Secretary of the Interior to sell certain lands in the State of Montana to Clarence Huso; to the Committee on Indian Affairs.

H. R. 5283. A bill to authorize the Secretary of the Interior to sell certain lands in the State of Montana to Everett H. Hanson; to the Committee on Indian Affairs.

By Mr. EARTHMAN:

H. R. 5284. A bill for the relief of Mrs. Lucy T. Harris; to the Committee on Claims.

H. R. 5285. A bill for the relief of Ben Thomas Haynes, a minor; to the Committee on Claims.

By Mr. LEA:

H. R. 5286. A bill for the relief of Claude R. Hall and Florence V. Hall; to the Committee on Claims.

By Mr. JENNINGS:

H. R. 5287. A bill for the relief of Mrs. Cecile W. McAfee, Sarah McAfee, and Haven H. McAfee; to the Committee on Claims.

By Mr. McGLINCHEY:

H. R. 5288. A bill for the relief of Warren N. Miller; to the Committee on the Merchant Marine and Fisheries.

By Mr. REECE of Tennessee:

H. R. 5289. A bill for the relief of Alfred Arrowood; to the Committee on Military Affairs.

H. R. 5290. A bill for the relief of Solon P. Haun; to the Committee on Military Affairs.

By Mr. RAYFIELD:

H. R. 5291. A bill for the relief of Morris Zucker; to the Committee on Claims.

By Mr. WALTER:

H. R. 5292. A bill for the relief of Second Lt. Ephraim D. Yates; to the Committee on Military Affairs.

#### PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1503. By Mr. SMITH of Wisconsin: Letter from American Legion Post, No. 21, Kenosha, Wis., in opposition to the Veterans' Administration establishing a contact officer within the various counties or districts; to the Committee on World War Veterans' Legislation.

1504. Also, petition of Junker Ball Post, No. 1865, Veterans of Foreign Wars, Kenosha, Wis., in opposition to the Veterans' Administration establishing a contact officer in Kenosha County; to the Committee on World War Veterans' Legislation.

1505. By the SPEAKER: Petition of the Colorado State Association of County Commissioners, petitioning consideration of their resolution with reference to amendment of the Social Security Act to permit recipients of old-age assistance to reside in public institutions; to the Committee on Ways and Means.

1506. Also, petition of Sgt. Thomas R. Clark and others, petitioning consideration of their resolution with reference to demobilization of men overseas; to the Committee on Military Affairs.

## SENATE

WEDNESDAY, JANUARY 30, 1946

(Legislative day of Friday, January 18, 1946)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Our Father God, who art the Love that never forgets and the Light that never fails, Thou hast taught us that when we lend a hand to Thy earthly children in their striving for life and light we hallow Thy name. Grant us, we beseech Thee, courage, patience, wisdom, and vision for the living of these days on ages telling. Enrich us with the durable satisfactions of life, so that the multiplying years may not find us bankrupt in those things that matter most, the golden currency of faith and hope and love. We ask it in the Redeemer's name. Amen.

#### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Miller, one of his secretaries.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed a bill (H. R. 4437) to provide for the return of public employment offices to State operation, to amend the act of Congress approved June 6, 1933, and for other purposes, in which it requested the concurrence of the Senate.

#### CALL OF THE ROLL

Mr. BARKLEY. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Alken	Gurney	O'Daniel
Austin	Hart	Pepper
Bailey	Hatch	Radcliffe
Bankhead	Hawkes	Reed
Barkley	Hayden	Robertson
Bilbo	Hickenlooper	Russell
Bridges	Hill	Saltonstall
Briggs	Hoey	Shipstead
Buck	Huffman	Smith
Bushfield	Johnson, Colo.	Stanfill
Butler	Johnston, S. C.	Stewart
Byrd	Kilgore	Taft
Capehart	La Follette	Taylor
Capper	Langer	Thomas, Okla.
Chavez	Lucas	Thomas, Utah
Cordon	McCarran	Tobey
Donnell	McClellan	Tydings
Downey	McFarland	Walsh
Eastland	McKellar	Wheeler
Ellender	McMahon	Wherry
Ferguson	Magnuson	White
Fulbright	Maybank	Wiley
George	Mead	Willis
Gerry	Millikin	Wilson
Gossett	Murdoch	Young
Green	Murray	
Guffey	Myers	

Mr. HILL. I announce that the Senator from Virginia [Mr. Glass], the Senator from Louisiana [Mr. Overton], and

the Senator from New York [Mr. WAGNER] are absent because of illness.

The Senator from Florida [Mr. ANDREWS], the Senator from Nevada [Mr. CARVILLE], and the Senator from Wyoming [Mr. O'MAHONEY] are necessarily absent.

The Senator from Washington [Mr. MITCHELL] is absent on official business.

The Senator from Texas [Mr. CONNALLY] is absent on official business as a representative of the United States attending the first session of the General Assembly of the United Nations, now being held in London.

The Senator from Delaware [Mr. TUNNELL] is absent on official business as a member of the Mead committee.

Mr. WHERRY. The Senator from Michigan [Mr. VANDENBERG] is absent on official business as a representative of the United States attending the first session of the General Assembly of the United Nations, now being held in London.

The Senator from Minnesota [Mr. BALL] is absent because of illness.

The Senator from Illinois [Mr. BROOKS], the Senator from Maine [Mr. BREWSTER], and the Senator from Oklahoma [Mr. MOORE] are necessarily absent.

The Senator from California [Mr. KNOWLAND] is absent on official business as a member of the Mead committee.

The PRESIDENT pro tempore. Seventy-nine Senators having answered to their names, a quorum is present.

#### LOAN TO GREAT BRITAIN—MESSAGE FROM THE PRESIDENT

Mr. BARKLEY. Mr. President, I ask unanimous consent that a message received from the President of the United States a few minutes ago be laid before the Senate.

The PRESIDENT pro tempore. Without objection, the Chair lays before the Senate the message from the President of the United States which the clerk will read.

(For text of message this day received, see proceedings of House of Representatives, on p. 586.)

The PRESIDENT pro tempore. Without objection, the message, with the accompanying agreement, will be referred to the Committee on Banking and Currency and printed.

Mr. BARKLEY. Mr. President, I ask unanimous consent to introduce a joint resolution carrying out and implementing the recommendations made by the President in his message.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Kentucky?

Mr. LANGER. I object.

Mr. BARKLEY. Mr. President, will the Senator withdraw his objection? All I seek to do is to introduce a joint resolution and have it referred to the committee. It is important that the matter be considered promptly. We expect to have open hearings on the subject. I hope the Senator will not prevent the introduction of the joint resolution.

Mr. LANGER. I am sorry, but I cannot withdraw my objection.

The PRESIDENT pro tempore. The Senator from North Dakota objects.

Mr. JOHNSTON of South Carolina obtained the floor.

Mr. BARKLEY. Mr. President, may I propound a parliamentary inquiry?

The PRESIDENT pro tempore. The Senator will state it.

Mr. BARKLEY. Under the present legislative status in the Senate, is it possible to introduce this joint resolution without unanimous consent?

The PRESIDENT pro tempore. In the opinion of the Chair, it would not be at this time.

The Senator from South Carolina [Mr. JOHNSTON] has the floor.

#### INVESTIGATION OF STARVATION CONDITIONS IN EUROPE

Mr. CAPEHART. Mr. President, will the Senator from South Carolina yield to me so that I may ask unanimous consent to read a brief telegram?

Mr. JOHNSTON of South Carolina. I yield provided I do not lose the floor.

Mr. CAPEHART. Mr. President, I ask unanimous consent to read a brief telegram.

The PRESIDENT pro tempore. Without objection, the Senator may proceed.

Mr. CAPEHART. The telegram is addressed to me and reads as follows:

NOTRE DAME, IND.

Senator HOMER CAPEHART,

Senate Office Building,

Washington, D. C.:

The administration and faculty of the University of Notre Dame, assembled in meeting, commend you for your recent action together with 33 of your colleagues in regard to the starvation prices in Europe, and bring to your attention the following resolution which we have sent to the President and to Secretaries Byrnes, Patterson, and Vinson. We urge your continuing support.

The administration and faculty of the University of Notre Dame, assembled in meeting, urge upon you the necessity of positive and immediate action on the following measures:

1. Government mobilization with all speed of food and transport sufficient to raise the minimum diet in all countries, including Italy, Germany, Austria, Hungary, and the Far East, including Japan, to 2,000 calories a day, and in the liberated countries to 2,600 a day.

2. Complete freedom of private relief agencies such as the Red Cross, American Friends Service Committee, Catholic War Relief Committee, and other religious groups to operate in every country, in addition to full support for UNRRA, operations of which should be extended.

3. Immediate opening of the mails to Austria and Germany so that private persons may send food, medicine, and clothing. Future harmonious international relations and preservation of the peace require action on these measures in conformity with the dictates of the Christian science and American tradition of charity.

PRESIDENT O'DONNELL, THE  
ADMINISTRATION, AND FACULTY.

#### TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

#### BOARD OF VISITORS TO THE MERCHANT MARINE ACADEMY AND THE COAST GUARD ACADEMY

The PRESIDENT pro tempore. Under authority of law the Chair appoints the Senator from Arkansas [Mr. McCLELL-

LAN] a member of the Board of Visitors to the Coast Guard Academy and the Senator from Maryland [Mr. RADCLIFFE] a member of the Board of Visitors to the Merchant Marine Academy.

#### PETITION

Mr. WILEY presented a resolution adopted by the Board of Supervisors of Milwaukee County, Wis., requesting the War Department, Reconstruction Finance Corporation, Federal Housing Authority, and the National Housing Expediter to take the necessary steps to develop the so-called Eline plant site needed for housing purposes for veterans, which was referred to the Committee on Banking and Currency.

#### PROTEST AGAINST PEACETIME COMPULSORY MILITARY TRAINING

Mr. CAPPER. Mr. President, I ask unanimous consent to present for appropriate reference and printing in the RECORD a letter from A. L. Ryan, district superintendent of the Methodist Church of Kansas City, Kans., together with an attached statement adopted by the Council of Bishops of the Methodist Church at Buck Hill Falls Inn, Pennsylvania, on December 5, 1945, protesting against peacetime compulsory military training.

There being no objection, the letter with the accompanying statement, was received, referred to the Committee on Military Affairs, and ordered to be printed in the RECORD, as follows:

THE METHODIST CHURCH,

KANSAS CITY DISTRICT,

Kansas City, Kans., January 19, 1946.

The Honorable ARTHUR CAPPER,

Senate Office Building, Washington, D. C.

MY DEAR SENATOR CAPPER: I am enclosing herewith a statement on peacetime compulsory military training, as adopted by our Methodist Board of Bishops at a recent meeting.

I find myself in complete agreement with the stand which is here set forth. I am therefore, writing you to urge you to do everything possible in harmony with the ideals set forth in this statement.

There is certainly a better way for the achievement of the preservation of peace than that which is contemplated by compulsory military training.

Very truly yours,

A. L. RYAN.

THE STATEMENT ON PEACETIME COMPULSORY MILITARY TRAINING ADOPTED BY THE COUNCIL OF BISHOPS OF THE METHODIST CHURCH AT BUCK HILL FALLS INN, PENNSYLVANIA, DECEMBER 5, 1945

With a solemn sense of responsibility to our Nation and to our church, the bishops of the Methodist Church desire formally to express their conviction that the passage of a law requiring universal peacetime military conscription or compulsory training is unwise. We believe that the protection of this Nation and all other nations must be achieved through international agreement and cooperation and not by the unilateral action of any one people. We express our confidence in those principles and processes initiated at San Francisco. We call upon our Government to take the lead in implementing them into a united world structure. It should not rely for its defense upon independent standing armies but upon the broader base of an international security guaranteed by all nations for the benefit of each nation.

We believe that universal military conscription in time of peace is:

(1) A denial of the spirit of the Atlantic Charter.



(2) A betrayal of our historic democratic tradition.

(3) A possible step toward bureaucratic fascism by setting up a powerful military caste in this country.

(4) A threat to the moral life of our youth subjected in a crucial year to an extended period of unwelcome futility and character disintegration.

The proposal is untimely in an age whose patterns of life and national defense are as yet unfixed because (1) new and revolutionary scientific discoveries are making obsolete traditional methods of defense; (2) such an unprecedented step may lead to a false sense of national security; and (3) the present tension in our international relationships will be heightened by any move which leads to suspicion of our national aims and will result in protective rearmament upon the part of other nations. This is the path to war and destruction and not to peace and national safety.

We call upon the Congress of the United States to give to the world a decisive demonstration of faith in the possibility of achieving a world unity resting upon good will and mutual respect rather than upon force and material power. The practice of the principles of the Christian religion still remains our ultimate and most practical security.

We reaffirm with deepening conviction the words adopted by the general conference of 1944: "The time is at hand when the church must rise in its might and demand an international organization which will make another war impossible."

THE COUNCIL OF BISHOPS,  
CHARLES C. SELEGMAN,  
Dallas, Tex.,  
Chairman of Council.  
WILLIAM C. MARTIN,  
Topeka, Kans.,  
Acting Secretary of Council.  
PAUL B. KERN,  
Nashville, Tenn.,  
Chairman of Committee  
Which Drafted the Statement.

This statement was sent to the President of the United States, the Secretary of the Navy, the Secretary of War, the chairman of the Military Affairs Committee, and the chairman of the Naval Affairs Committee of both the Senate and the House.

#### TAXATION OF GOVERNMENT PROPERTY— PICK-SLOAN PLAN FOR DEVELOPMENT OF MISSOURI RIVER VALLEY

Mr. BUTLER. Mr. President, I ask unanimous consent to present for appropriate reference and to have printed in the RECORD a resolution adopted by the York County (Nebr.) Board of Supervisors at its regular meeting on January 3, 1946, relating to the taxation of Government property and the Pick-Sloan plan for the development of the Missouri River Valley.

There being no objection, the resolution was received, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

COPY OF COUNTY BOARD ACTION, YORK COUNTY  
BOARD OF SUPERVISORS, REGULAR MEETING  
JANUARY 3, 1946

The following parts of the action by the Nebraska Association of County Officials was adopted, by resolution, by the York County, Nebr., Board of Supervisors:

#### "II. PICK-SLOAN PLAN

"We favor the early start and completion of the Pick-Sloan plan of development of the Missouri River Basin and urge speedy appropriations by the Congress for this purpose. We are inalterably opposed to the creation of a Missouri Valley Authority, as proposed in the Murray bill, S. 555, or as proposed in any other bill.

#### "VI. NONTAXABLE REAL ESTATE

"Because of the great amount of nontaxable real estate now owned by the United States Government, which may be retained by the Government, Senate file S-1518 provides that such property shall not be exempt from taxation; therefore be it

"Resolved, That the Nebraska State Association of County Commissioners and Supervisors, at this time, communicate their endorsement of the bill to the Senate Committee on Finance and to respective Congressmen and Senators. It is also urged that the respective chairmen of county boards in Nebraska communicate their endorsement similarly and at once.

"Moved by Haggard, seconded by Rogers, that we adopt the parts of the foregoing resolution referring to the taxation of Government property and the Pick-Sloan plan for the development of the Missouri River Valley, and that copies of the referred portions be sent to the Congressmen and Senators from Nebraska. Motion carried."

#### FISH HATCHERY IN COMANCHE COUNTY, OKLA.—REPORT OF A COMMITTEE

Mr. GOSSETT. Mr. President, from the Committee on Commerce, I ask unanimous consent to report favorably without amendment the bill (S. 396) providing for the transfer of a certain fish hatchery in Comanche County, Okla., to the city of Lawton, Okla., and I submit a report (No. 909) thereon. The bill has the approval of the Secretary of the Interior, as will appear from a letter from him which is made a part of the report.

The PRESIDENT pro tempore. Without objection, the report will be received, and the bill will be placed on the calendar.

#### EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following reports of a committee were submitted:

By Mr. GEORGE, from the Committee on Foreign Relations:

Executive A, Seventy-ninth Congress, second session, a protocol to extend for 1 year from October 1, 1945, with certain modifications, the Inter-American Coffee Agreement signed in Washington on November 28, 1940 (Exec. Rept. No. 1);

Executive B, Seventy-ninth Congress, second session, a protocol dated in London August 31, 1945, prolonging the international agreement, regarding the regulation of production and marketing of sugar, which was signed in London May 6, 1937 (Exec. Rept. No. 2);

Vice Adm. Alan G. Kirk, United States Navy, to be Ambassador Extraordinary and Plenipotentiary of the United States to Belgium and to serve concurrently and without additional compensation as Envoy Extraordinary and Minister Plenipotentiary to Luxembourg;

Leon L. Cowles, of Utah, now a foreign-service officer of class 6 and a secretary in the diplomatic service, to be also a consul of the United States of America;

Robert Lacy Smyth, of California, now a foreign-service officer of class 2 and a secretary in the diplomatic service, to be also a consul general of the United States of America;

Elbert G. Mathews, of California, now a foreign-service officer of class 6 and a secretary in the diplomatic service, to be also a consul of the United States of America;

Sydney B. Redecker, of New York, now a foreign-service officer of class 2 and a secretary in the diplomatic service, to be also a consul general of the United States of America;

Merritt N. Cootes, of Virginia, now a foreign-service officer of class 5 and a secretary in the diplomatic service, to be also a consul of the United States of America;

Edward P. Maffit, of Missouri, now a foreign-service officer of class 5 and a secretary in the diplomatic service, to be also a consul of the United States of America;

S. Roger Tyler, Jr., of West Virginia, now a foreign-service officer of class 6 and a secretary in the diplomatic service, to be also a consul of the United States of America;

William Witman 2d, of Pennsylvania, now a foreign-service officer of class 6 and a secretary in the diplomatic service, to be also a consul of the United States of America;

Sundry persons for promotion in the foreign service of the United States.

#### BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. ELLENDER:

S. 1776. A bill for the relief of Walter J. Barnes Electric Co. and Maritime Electric Co., Inc., and for other purposes; to the Committee on Claims.

By Mr. THOMAS of Utah:

S. 1776. A bill to authorize the exchange of certain land at the Benicia Arsenal, California; to the Committee on Military Affairs.

(Mr. WILLIS (for himself, Mr. HART, Mr. HAWKES, Mr. HICKENLOOPER, Mr. SMITH, Mr. STANFILL, Mr. WILEY, and Mr. YOUNG) introduced Senate bill 1777, to assist the agencies of scientific and technological education and the development of the Nation and to establish a National Science Foundation, which was referred to the Committee on Commerce, and appears under a separate heading.)

By Mr. HATCH:

S. 1778. A bill to establish and maintain in the General Land Office a record of title to all lands held by the Federal Government; to the Committee on Public Lands and Surveys.

By Mr. PEPPER (for himself, Mr. GEORGE, Mr. LA FOLLETTE, and Mr. TAFT):

S. 1779. A bill to authorize the Federal Security Administrator to assist the States in matters relating to social protection, and for other purposes; to the Committee on Education and Labor.

#### PROPOSED NATIONAL SCIENCE FOUNDATION

Mr. WILLIS. Mr. President, I should like to introduce a bill and make a few remarks in relation thereto, without taking the Senator from South Carolina from the floor.

The PRESIDING OFFICER (Mr. HOEY in the chair). Does the Senator from South Carolina yield for that purpose?

Mr. JOHNSTON of South Carolina. I yield only if I may hold the floor.

Mr. WILLIS. I ask the Senator to yield with the understanding that he will not be taken from the floor.

The PRESIDING OFFICER. The Senator from Indiana asks the Senator from South Carolina to yield, provided the Senator from South Carolina is not taken from the floor.

Mr. JOHNSTON of South Carolina. That is the only condition under which I will yield.

The PRESIDING OFFICER. Is there objection to the Senator from Indiana introducing a bill and making a statement with relation thereto? The Chair hears none.

Mr. WILLIS. Mr. President, on behalf of myself, the Senator from Con-

necticut [Mr. HART], the Senator from New Jersey [Mr. HAWKES], the Senator from Iowa [Mr. HICKENLOOPER], the Senator from New Jersey [Mr. SMITH], the Senator from Kentucky [Mr. STANFILL], the Senator from Wisconsin [Mr. WILEY], and the Senator from North Dakota [Mr. YOUNG], I am introducing this bill dealing with the formation of a National Science Foundation.

There is a special reason at this time for the introduction of this bill. For more than a year bills providing for Federal aid to science in some form have been in Senate committees. On October 8, 1945, three subcommittees of the Committee on Military Affairs and the Committee on Commerce joined in holding hearings on proposed legislation to create a National Science Foundation. Chief among the bills so considered are S. 1297 and S. 1285, referred to because of their sponsorship as the Kilgore and Magnuson bills.

In the hearings on these bills, the joint subcommittees called 100 witnesses and printed about 1,000 pages of testimony, but no substantial agreement on a proper bill came from these labors. In the end—toward the close of the last session before the Christmas recess—a new bill, S. 1720, was introduced in an effort to reach an agreement to report a bill.

The reason for these difficulties is plain to anyone who will read the pending bills and the hearings upon them. Fundamental division of opinion exists upon the far-reaching character of these bills as they relate to political controls over science, over the form of administrative structure as between a directing board or a single head, over patent and national defense features of the bills, over the way in which Federal money would be distributed, and over the effect of such a distribution on science itself. I could continue with these reasons, but it is not my purpose at this time to go into the merits of this legislation. I merely wish to point out the situation as we now find it in these committees.

The chief reason for controversy is that the pending bills offer no real difference in approach to this very important problem. Both of the major bills, S. 1297 and S. 1285, together with the entirely new bill, S. 1720, coming from the sponsor of S. 1297, Mr. KILGORE, involve a large Government agency, politically responsible and politically controlled. No alternative to the philosophy of state-controlled science has been before the joint committee.

Scientists who spoke at the hearings had no alternative approach to consider. Except for the one problem of whether there should be a board or a single head in charge of this vast science program, almost no testimony was produced on the vital question of the administrative structure and methods of operation of a National Science Foundation. The chief question before the witnesses was whether the Federal Government should aid science; and of course most of the witnesses approved the proposal for Federal aid. Few of the witnesses considered how this was to be done. Few spoke of the specific provisions of the

bills. I doubt if the scientists who appeared—many of them eminent men—would be for any bill which means Government control, political interference, or restrictions on the freedom of scientific thought and action. The pending bills do involve those questions very materially, but few witnesses turned their opinions in that direction largely because there was no other bill to raise the question of a different approach to Federal aid of science.

We are now in this position: The pending bills have been rewritten and revised many times and no agreement has been reached on any one of them. In these circumstances, an entirely new bill, S. 1720, was introduced a few weeks ago. This new bill makes the same approach to the problem as did the previous bills; and it contains many new and controversial features.

In these circumstances the committees in charge of the hearings must undoubtedly reopen the hearings for further testimony. Certainly the committees could hardly report out a new bill claiming the support of testimony taken on previous and different bills—especially when the new bill raises questions on which controversy exists and on which there is an absence of testimony on the crucial point of administration.

Since a renewal of hearings will and certainly should be undertaken, another means of accomplishing this aid to science should be put before the committee so as to provide an alternative approach to this problem.

That is the purpose of the bill I am now introducing. The whole subject of Federal aid to science is far too important to be settled without exploring all proper methods. The bill I now offer is based on proved American experience which has developed American science from its infancy to the pinnacle of leadership. It safeguards the independence of science at the same time that it provides for Federal financial support of science. It eliminates political control far more than does any of the pending bills. It leaves the scientist free to determine the needs of science, and yet arranges to correlate science with the development of the Nation. It fosters world-wide scientific co-operation.

The bill itself is a simple one. It provides for the formation of an independent corporation by 50 of the most distinguished leaders in the Nation, scientists and laymen. With full powers, properly safeguarded, this corporate body of distinguished men and women would be entrusted with the responsibility of evaluating the changing needs of scientists, reporting to Congress, and allocating the funds Congress appropriates for the purpose.

For 80 years the National Academy of Sciences has functioned quietly and efficiently on the same principle. Since 1917 the National Research Council, associated with the Academy, has done likewise. The war record of these two distinguished scientific bodies is worth any Senator's study in connection with the question of Federal aid to science. Without the Academy and the National

Research Council, the work and achievements of the OSRD, the WPB, and other agencies dependent on science would have been severely handicapped. The Red Cross, which, as we all know, has distinguished itself at home and abroad, in peace and in war, is organized on the same principle as the one embodied in this bill. Such institutions as the Academy and the Red Cross are eloquent proof that the principle of an independent body, free of Government interference and free of political control, is a sound and desirable one.

Mr. President, that is the principle incorporated into the bill for Federal aid to science which I now offer. I ask that it be referred to the Committee on Commerce, which has other science-aid bills before it. There I hope it will receive proper consideration because of the splendid alternative it offers to the present controversies over Federal aid to science.

Mr. President, I send the bill to the desk and ask that it be printed in full at the close of my remarks.

There being no objection, the bill (S. 1777) to assist the agencies of scientific and technological education and the development of the Nation, and to establish a National Science Foundation, introduced by Mr. WILLIS (for himself, Mr. HART, Mr. HAWKES, Mr. HICKENLOOPER, Mr. SMITH, Mr. STANFILL, Mr. WILEY, and Mr. YOUNG), was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

*Be it enacted, etc.—*

#### DECLARATION OF POLICY

SECTION 1. Congress hereby recognizes that the energetic development and application of the Nation's scientific and technological resources are essential to progress and prosperity. The purpose of this act accordingly is to aid other agencies in advancing the Nation's scientific and technological education and development, and in particular to supplement moneys now and hereafter forthcoming from private sources, by such appropriations as Congress, acting upon the advice of the National Science Foundation, herein created, may make available.

#### ESTABLISHMENT OF INDEPENDENT OFFICE

SEC. 2. There is hereby created, as an independent agency of the Federal Government, the National Science Foundation, a corporation, the initial members of which shall be 50 distinguished men and women representative of all sections of the Nation, recognized leaders in the fields of fundamental science, social sciences, medicine, engineering, and education, and lay persons of recognized standing in public affairs, selected solely on the basis of established records of distinguished service without reference to any political, social, or religious factors. The President of the United States shall select and appoint these initial members of the Foundation from among nominations requested by him from the National Academy of Sciences for those fields within the province of the academy and from recognized national organizations in those fields outside the province of the academy.

SEC. 3. The National Science Foundation shall consist of not more than 50 members, and the said corporation hereby constituted shall have power to make its own organization, including its constitution, bylaws, and rules and regulations; to fill all vacancies created by death, resignation, or otherwise;



to provide for the division into classes; to appoint a chief executive officer and a staff and to pay their salaries from moneys that may be available for that purpose; and in general to do all other matters needful or usual in such institution, and to report the same to Congress annually.

SEC. 4. (a) The National Science Foundation shall hold meetings at such times and places in the United States as it may designate, and the Foundation shall examine into and report to Congress annually upon the monetary needs of American institutions devoted to higher education and the pursuit of knowledge in regard to research and training in all departments of science as well as aid by means of scholarships and fellowships in these departments, and disburse such funds as Congress may provide.

(b) In matters relating to the departments of science represented in the National Academy of Sciences (the physical and biological sciences and mathematics), including basic medicine and engineering, the Foundation shall in discharging its functions request advice from the Academy (an agency incorporated by Congress, March 3, 1863, to advise Government in matters of science and art). With regard to matters outside those fields within the province of the Academy, it shall request the advice of recognized national organizations in the appropriate field. The Foundation, however, shall not be obligated to follow advice so requested if it is contrary to its own judgment.

SEC. 5. The Foundation shall foster the maximum publication and dissemination of scientific discoveries and technical information of scientific value and may publish or arrange for publication of such discoveries and information.

SEC. 6. The Foundation is hereby authorized with the approval of and through the Secretary of State to cooperate in any international research activities consistent with the purposes of this act and to conclude agreements with foreign governments or agencies thereof facilitating the acquisition, dissemination and exchange of scientific and technical information. The Foundation shall, from time to time, in cooperation with the State Department and other interested governmental agencies appoint from nominees of scientific and professional associations official representatives to accredited international scientific congresses and meetings and defray the expenses of such representatives.

SEC. 7. The National Science Foundation is authorized and empowered to receive by devise, bequest, donation, or otherwise, either real or personal property, and to hold the same absolutely or in trust, and to invest and manage the same in accordance with the provisions of its constitution, and to apply said property and the income arising therefrom to the objects of its creation and according to the instructions of the donors: *Provided, however,* That Congress may at any time limit the amount of real estate which may be acquired and the length of time the same may be held by said National Science Foundation.

SEC. 8. Neither the Foundation nor any of its members shall receive any compensation whatever from Congress for any of the services which it performs, but the actual expenses incurred in the discharge of its duties, including travel and subsistence of members in discharge of their duties, may be paid from appropriations which may be made for the purpose.

SEC. 9. Congress shall have the right to repeal, alter, or amend this act at any time.

SEC. 10. In order to provide for the organization of the Foundation and the making of an initial report and recommendation to Congress there is hereby appropriated the sum of \$100,000.

Mr. WILLIS. I express to the Senator from South Carolina, my appreciation for his courtesy to me.

#### HOUSE BILL REFERRED

The bill (H. R. 4437) to provide for the return of public employment offices to State operation, to amend the Act of Congress approved June 6, 1933, and for other purposes, was read twice by its title and referred to the Committee on Education and Labor.

#### ATOMIC BOMBS IN INTERNATIONAL SOCIETY—ARTICLE BY SENATOR THOMAS OF UTAH

[Mr. THOMAS of Utah asked and obtained leave to have printed in the Record an article prepared by him on the subject Atomic Bombs in International Society, published in the October 1945 issue of the American Journal of International Law, which appears in the Appendix.]

#### AMERICA'S PRODUCTION PROBLEM—ADDRESS BY SENATOR WILEY

[Mr. WILEY asked and obtained leave to have printed in the Record a radio address on the subject of America's production problem, delivered by him on January 29, 1946, which appears in the Appendix.]

#### THE AGRICULTURAL SITUATION IN NEBRASKA—ADDRESS BY SENATOR BUTLER

[Mr. BUTLER asked and obtained leave to have printed in the Record an address delivered by him at Columbus, Neb., January 25, 1946, to the Nebraska State Convention of the NRECA, which appears in the Appendix.]

#### RECLAMATION—ADDRESS BY SENATOR BUTLER

[Mr. BUTLER asked and obtained leave to have printed in the Record an address delivered by him in Lincoln, Nebr., January 28, 1946, at the annual meeting of the Nebraska Reclamation Association, which appears in the Appendix.]

#### OUR INTERNATIONAL POLICIES—ADDRESS BY HON. ALF M. LANDON

[Mr. CAPPER asked and obtained leave to have printed in the Record an address entitled "Our International Policies," delivered by Hon. Alf M. Landon, of Kansas, before the Kansas Women's Republican Club annual meeting at Topeka, Kans., on January 28, 1946, which appears in the Appendix.]

#### UNITED STATES EMPLOYMENT SERVICE—DISCUSSION ON THE AMERICAN FORUM OF THE AIR

[Mr. MURRAY asked and obtained leave to have printed in the Record a discussion of the subject "Should the USES be turned over to the States immediately?" held on the American Forum of the Air, January 8, 1946, which appears in the Appendix.]

#### THE PRESIDENT'S NATIONAL HEALTH INSURANCE PLAN—POLL OF WASHINGTON RESIDENTS

[Mr. MURRAY asked and obtained leave to have printed in the Record a poll of residents of Washington, D. C., in relation to President Truman's national health insurance plan, which appears in the Appendix.]

#### THE AMERICAN INDIAN AND GOVERNMENT—ARTICLE BY BYRON BROPHY

[Mr. BUSHFIELD asked and obtained leave to have printed in the Record an article entitled "The American Indian and Government," by Byron Brophy, which appears in the Appendix.]

#### PARITY PRICES FOR AGRICULTURAL COMMODITIES

[Mr. BUSHFIELD asked and obtained leave to have printed in the Record a statement on parity prices for agricultural commodities, prepared by C. C. Hanson, secretary of the Association of the Southern Commissioners of Agriculture, which appears in the Appendix.]

#### NO DEFENSE PLAN—ARTICLE BY JOSEPH AND STEWART ALSOP

[Mr. HILL asked and obtained leave to have printed in the Record an article entitled "No Defense Plan," written by Joseph and Stewart Alsop, and published in the Washington Post of January 30, 1946, which appears in the Appendix.]

#### OPERATION OF PACKING PLANTS BY GAYLE ARMSTRONG—EDITORIAL FROM ROSWELL (N. MEX.) DAILY RECORD

[Mr. HATCH asked and obtained leave to have printed in the Record an editorial dealing with the appointment of Gayle Armstrong to operate for the Government meat-packing plants, published in the Roswell (N. Mex.) Daily Record of January 25, 1946, which appears in the Appendix.]

#### IMPROVEMENT OF THE UNITED STATES ARMY—EDITORIAL FROM YANK

[Mr. TAYLOR asked and obtained leave to have printed in the Record an editorial regarding suggestions for the improvement of the United States Army, from Yank for December 21, 1945, which appears in the Appendix.]

#### THE CASTE SYSTEM IN THE ARMY—EDITORIAL FROM THE SATURDAY EVENING POST

[Mr. TAYLOR asked and obtained leave to have printed in the Record an editorial entitled "Barrack Room View of the Brass," from the Saturday Evening Post of January 5, 1946, which appears in the Appendix.]

#### JOURNAL OF THURSDAY, JANUARY 17, 1946

The Senate resumed the consideration of Mr. HOEY's motion to amend the Journal of the proceedings of the Senate of Thursday, January 17, 1946.

Mr. JOHNSTON of South Carolina. Mr. President, inasmuch as we have been debating Senate bill 101, which oftentimes has been spoken of as the Fair Employment Practice Act, let me say, as I have said on previous occasions, that the name is a misnomer insofar as the bill is concerned. It should be called a bill to take away the human rights of all the people of the United States. I say that for the reason that the bill would be far-reaching in its effects, and would actually take away from every employer the right to hire, fire, and increase salaries of employees. The bill may be intended to care for some discriminations, but at the same time it would take away all those rights.

I have been amused in the Senate to listen to the debates on this bill and to see arise on this floor and speak time and time again Senators who have sponsored the bill but who acknowledge defects in almost every paragraph of it. Anyone who has listened to the discussions knows that to be true. Some Senators have actually stood on the floor of the Senate and suggested that the bill be re-committed—not sent back to the com-

mittee from whence it came, namely, the Committee on Education and Labor, but sent to the Judiciary Committee. I can imagine why some Senators wish to have the bill go to the Judiciary Committee. They would like to have some of the defects of the bill ironed out, since there are so many defects in it. Such Senators want the lawyers of the Senate—the legal committee, so to speak, of the Senate—to see whether they can cure the defects which have been called to their attention time and time again. The public wonders why so many Senators are trying to explain this proposed legislation, not only to the Senate, but to the people of the United States. We are explaining it because we fear that the people of this Nation have been misinformed greatly in regard to what the bill would do if it were enacted into law.

Let us look for a few moments at the bill as it is now drawn. It undertakes overnight, by the enactment of a law, to say to the people of our country, "No; you shall not have any feeling about any beliefs, any religions, or any nationalities. No. Overnight you must do away with every bit of that." If Senators will only discuss that matter with a psychologist they will find that such a result would be impossible to accomplish, because the environment in which one is reared goes with him throughout his life, even to the grave. That is true in every section of the United States. Certain peculiarities may exist in one section of a State. In my State persons living in different sections often differ with each other in regard to various matters, because of their early environment and the doctrines which were inculcated in them while they were young. It is impossible to get away from that situation by passing a bill designed to interfere with the views entertained by citizens of the Nation, and if such a bill were enacted into law I am fearful that it would not be possible to enforce it.

Mr. President, in my hand I hold a statement which was prepared and sent to me from Anderson, S. C. The statement was prepared on behalf of the Anderson Daily Mail and the Anderson Independent Tribune.

Mr. RUSSELL. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. McCLELLAN in the chair). Does the Senator from South Carolina yield to the Senator from Georgia?

Mr. JOHNSTON of South Carolina. I yield.

Mr. RUSSELL. Are the papers to which the Senator referred published by a former distinguished Member of this body, Mr. Wilton E. Hall?

Mr. JOHNSTON of South Carolina. He is the editor and coowner of both newspapers. He has also recently completed a term as the head of the newspapermen's association in South Carolina.

Mr. RUSSELL. The position which he occupied was that of president of the South Carolina Press Association.

Mr. JOHNSTON of South Carolina. Yes. An investigation was made in Anderson, S. C. Representatives of the newspapers to which I have referred were

sent to interview all businessmen in the locality. I now read from the statement which was prepared as a result of such interviews:

The Fair Employment Practice Commission legislation, if enacted into law, would be a farce, as far as small-business men in Anderson, questioned by a Daily Mail reporter yesterday, are concerned. Included in the survey were Negro workers and white employers alike, who admitted that they did not know what the proponents of the FEPC were seeking.

They believe Anderson represents an average southern town, and those businessmen questioned yesterday represent average small-business men throughout the South. They were of the opinion that the FEPC seemed to have a "hidden" meaning in "fair employment," and that it was a bad bill and could never be enforced if it were passed by Congress.

"I believe it would be a bad law, and could never be enforced," one employer said. His opinion was that such a law would only cause confusion and do nothing toward solving interracial relations in the South, "if that is a purpose of the bill," he said.

One Negro included in the survey was a veteran of 21 months in the South Pacific. He told the reporter that he had discussed racial relations with white soldiers in the Philippines many times. There was some argument about racial segregation, he said, but he pointed out that neither the Negro soldiers nor the white soldiers could determine just what was meant by discrimination, when applied to white and Negro races.

The Negro pointed out that neither he nor many of his race had been able to determine just what the proponents of FEPC were seeking. "If they want to improve racial relations between the white people and the colored people, then the FEPC will do nothing but cause confusion. The question of personal feeling is too big," he said.

Those Negroes questioned yesterday admitted that they had not heard of any clear definition of fair employment practices, and told the reporter that they did not see how any such law would improve racial relations in the South. None would charge that they had been discriminated against, and again asked "What does the Congress mean when they say 'discrimination'?"

Most of the employers pointed out that they had built their businesses up over a period of years, and held to the belief that they had the right to hire anyone whom they saw fit and would conduct their businesses accordingly. They said that any such legislation as the FEPC had too many loopholes to be successfully enforced upon the people.

Anderson has no large labor unions, and the closed shop is virtually unknown. Those included in the survey yesterday were convinced that the closed shop was discrimination, and they said that until such a measure was included in any law to enforce any form of compulsory employment, the fair-employment enactment of Congress could not even hold any hope of enforcement.

The survey showed that the average southerner believes that proponents of FEPC are trying to reach too many intangible things that exist in the problem of racial relations in the South. They believe that those favoring fair employment practices are attempting to use the power of numbers to pass the measure, instead of digging into the facts involved where the law would affect the majority of the people. They believe that the FEPC is aimed directly at the South, and that it would be no fair enforcement in any part of the Nation.

Negroes and white persons alike pointed to the racial troubles of northern cities, and refused to believe that legislation designed to curb these troubles would serve the same

purpose in the South. They again pointed to the intangible problems facing the two races in the South, and said that the most prominent problem confronting the average southerner is a friction between personalities which no law on earth can prevent.

In answering questions put forth by the reporter, those included in the survey brought up the matter of States' rights, and held to a strong belief that the FEPC is trespassing these rights. They could not understand how representatives of other parts of the Nation could successfully campaign for the welfare and well-being of the South.

It was conceded by all questioned that if any other State adopted a fair-employment practice commission of its own, it possibly would solve some of the labor problems of that State, but never, they said, would such a law serve any purpose other than to confuse and bring about more problems than already exist for the people of South Carolina.

Mr. President, I have read a statement which was prepared in Anderson County, S. C. Anderson County is the county of my birth. I believe I know the feelings of the people of that county. I know that their feelings are not unlike the feelings of persons living in other counties of the State.

I now come to Spartanburg County. That county has a large industrial center.

Mr. President, taking up where I left off, let me say that I live in what is known as the industrial section of South Carolina, that is the Piedmont section. For the information of the Senate I may say that during November and December 1945, 26 percent of all the cotton spindles running in the entire United States were in South Carolina. That shows that my State is rapidly becoming an industrial State. But I should like to call the attention of the Senate to a condition that cannot be changed. For some unknown reason it will be found that the industries in my State are located in the Piedmont. It will be found that in my State the colored people are not so numerous in the Piedmont section. In some counties in the lower part of South Carolina, not the section from which I come, there are three or four colored persons to one white person. The reverse will be found in the Piedmont section, from which I come. There it will be found that there are three or four white people to every colored person.

Why do I go into that? I mention it to show that the colored people of my State are principally located in the part of the State which is engaged in the business of agriculture. In the Piedmont section, the industrial section, a majority of the white population live. The people in the southern part of my State have been trained to raise cotton, corn, wheat, oats, potatoes, cabbage, tobacco, and products of that kind. When the Congress wants to do something, then, to benefit the colored race, let it help agriculture. When the Congress subsidizes any commodity grown on the farm and holds prices up, guaranteeing that producers will receive a certain high price for the commodity, then it helps the colored race of my State. The representatives of my State in both the House and the Senate have at all times advocated help for agriculture.



As I read a few moments ago from reports in the Anderson Daily Mail, it is not believed that this bill can be enforced in my State, and practically it will not be enforced. It does not cover the farms where the colored people in my State are principally found; but if this bill is passed it will affect them. In what way? Not in the way suggested in the first paragraph of the bill but in the reverse of the suggestion in the first paragraph, because, Mr. President, when the races are stirred up in any State—and this bill would stir them up—the trouble would not be confined to those whom the bill covers but would spread to the 85 percent of the colored race in my State whom this bill does not cover. If prejudice were stirred up against the races, the white against the colored and the colored against the white, then what would happen to that 85 or 90 percent in the farming area of my State? So, it should be apparent that those who are proposing to pass this bill are playing with dynamite so far as my State is concerned and so far as many other Southern States are concerned.

When a man living in the country reads the newspaper stories about the fair employment practice bill and then reads the bill, under which an accused person may be tried by a commission perhaps in Puerto Rico, perhaps in Chicago, or perhaps in Harlem, N. Y., or some other place, it is easy to imagine what that man will begin to think even though he may not be covered by the bill.

We had such legislation as this on another issue that could have been settled without having a bloody war; but we have begun again to fan the fire between the South and the other sections. Surely, Mr. President, we must all be aware that the South, the colored people along with the white people, have been penalized enough in the past.

Mr. President, some time ago the Congress passed a bill giving to what are known as the land-grant railroads the right to charge the Government standard rates although the railroads had agreed and contracted when they were built through the West and the Northwest to give the Government a substantial reduction of the normal rates. Under the rates provided under the Land-Grant Act the Government saved \$20,000,000 a month, month after month, because of the reduced rates for which the railroads carried Government freight. I wonder how much they have taken from the South by the discriminatory freight rates during the many years such rates have been in effect. If it is desired to do something for all the people of the South, white and colored, then let us equalize the freight rates. After the War Between the States and on down through the years there grew up rules and regulations prescribing freight rates from one section of the United States to another. My State at first could not build any cotton mills. It was necessary first to obtain an adjustment of freight rates. Then when the South got an adjustment of rates, what happened? Anyone who will go through the New England States will see what happened. Cotton mills were

moved from New England to the place where they belong. Why haul a large bale of cotton all the way up to Massachusetts in order to have it made into cloth? The railroads gave a cheap rate on the raw cotton carried to the North, but for hauling from South Carolina to the North cloth made from cotton about 40 percent—not 40 cents, but 40 percent—more was charged than for hauling the cloth over the same railroad from the North to South Carolina. Yet it is said there is no discrimination.

Then when the Interstate Commerce Commission a few weeks ago decided that they had to readjust those freight rates, they changed them more or less according to Mason and Dixon's line—I call it and I have always called it the Smith and Wesson line, above which is the area known as official territory—and said there was charged too high a rate below that line, and the rates must have been too low above it, for they said they would switch them a little, and take 10 percent off the Southern rates and put 10 percent more on the rates in official territory, showing that they believed the rates in the South were 20 percent too high. That was done by the Interstate Commerce Commission—not by South Carolinians, not by southerners, but by a Commission representing all the people of the United States.

The pending bill is certainly a far-reaching measure. It does not meet with the approval of anyone who looks to the future of our great country. I do not believe that anyone can study the bill and vote for it in toto. Every one of the authors of the bill to whom I have talked says, "We will change it so as to provide for trial by jury." I dare say they would. They would have to do so later, even if they did not put it in the bill. "We will cut down the penalty. We think that is too severe." The penalty provided is \$5,000 and a year in jail. Furthermore, if an employer were found guilty of not hiring someone today and probably hiring him day after tomorrow, there could be taken away from him the right to contract or to do business. He would be put on the blacklist. That is what is said, that his name would be made known all over the United States. That is in the bill. I did not put it there, the authors of the bill did that.

Mr. President, I am proud I come from the South. Always the South will be found coming to the fore when any attempt is made to lynch, so to speak, the Constitution of the United States. That is what this bill does; it lynches the Constitution. Talk about antilynching laws! There should be one against lynching the Constitution. That is what is being attempted in this particular bill.

Mr. President, let me show how a trial would be conducted under the bill. As a lawyer I have participated in trials, and I know exactly how the proposed Commission will undertake to try a man. They will meet, for instance, this morning, and say, "Mr. B, you are alleged to have discriminated against Mr. C because you hired Mr. D instead of Mr. C. We want to hear what you have to say about it." So they start taking testimony. When one goes into court he puts his

witnesses on the stand and they testify, "This happened in such and such a place." The trial before the Commission may be in Chicago, although the act may have happened in South Carolina. We know whose witnesses will be in the first place. A little businessman would not have money enough to run all over the United States, yet he could be taken to Chicago.

When testimony is taken in a court, rules of evidence govern the procedure. But what do we find in this bill? Under it a man may say, "I have an affidavit from Mr. So-and-So that I brought along. Mr. Brown could not come, and I brought this affidavit, and I ask that the hearing agent let this be admitted in evidence." Any lawyer within the hearing of my voice knows exactly what would take place in a court trial, but in this hearing, the hearing agent will say, "Yes, we will receive that for what it is worth."

The affidavit is read, and, oh, it is strong. The respondent has no chance to cross-examine the witnesses, he has no chance to look any witness in the face to see how he looks, to see whether or not he is lying or is telling the truth. He will not even have a chance to look at him to see whether he looks like the brother of the man who made the allegation in the first place.

In the affidavit, everything is alleged. An entire case is made out. The witness says, "Yes, I was present that day when So-and-So appeared before the employer and asked for the job, and I could tell, from the way the employer acted and the way he looked at the other persons in the office, that he was turning the applicant down because he was either of some other nationality or some other race."

Mr. President, the affidavit is put in evidence. After it is placed in the evidence the Supreme Court of the United States could not reverse a decision based on it, because it is something the Commission can hang its hat on. There may be just a little bit of truth in the affidavit, or there may be no truth in it; it may be a lie; but it constitutes something in the evidence that points probably at discrimination in the case.

Mr. President, that is what we are facing. That illustrates why every man has the right to have his witnesses in court. That is why every man has the right also to be tried by a jury before he is convicted and sent to jail. That is why the people of England hundreds of years ago rose against their King and said, "We must have some rights," and one of the rights they demanded and received was the one that is here being taken away from the people—the right of trial by jury.

Another thing, Mr. President. Let us say a good old break-down for the colored people is going on in my State. Let us say they have a colored orchestra there which is doing a fine piece of playing, and they decide to hook it on to the radio and let people elsewhere enjoy it. If there are more than six people employed, a white person could come forward and say, "I want to be a member of that orchestra." That is how far reaching the bill is.

A church may employ more than six people in its headquarters, let us say, in Nashville, Tenn. I will take my own de-

nomination, for instance, the Baptist denomination, which employs more than six in its office in Nashville. They do business all over the Southern States, not in one State only. Their business is interstate commerce. Under the bill it can be said to the Baptist Seminary in Nashville, Tenn., "You have to employ colored people in the office here, too. You have to employ some to teach here in the school." That is how far reaching this bill is. Knowing the sentiments of both white and colored, can anyone believe that is for the best interest of the people? Can anyone think the people want that?

In South Carolina the colored people have organized some mighty good baseball teams. I do not think they would like to have white boys on their teams, from what I have heard from them. They want to play their own game; they want to be left alone.

I notice, when I go to New York, that the colored people have congregated in Harlem. That is due to an inborn instinct. It will be found that the members of races congregate together; they want to be together. They do not want other races to interfere with them. That is nothing but human nature. It has always been true in the past. By this bill there is an attempt to change something that God made. We did not make it. God made my face white and made some other face yellow and some other face black. I did not do it. Congress cannot change that state of affairs.

A person who goes into the backwoods in South Carolina will find that some colored people there paint only the fronts of their houses white. On inquiring why that is done the reply is made that it is to keep out the "hants." They are afraid the "hants" will come into the house at night and kill them, so the front of the house is painted white to keep them out. That is one of the peculiarities of some colored people. That peculiarity cannot be changed overnight.

As I said a few moments ago, it will also be found that the colored people have seen fit to keep mostly to the southern area of my State. The whites have gone to the upper part of the State. The upper part of my State is closer to the mountains and the climate is a little colder. After the colored people in the South were set free, for some reason they stayed in the South. They did not go up North and get for themselves "a mule and 40 acres." They stayed down South because the weather there suited them better, the climate suited them better, the conditions of life there suited them better. They wanted to stay with their own crowd. That is human instinct, and it cannot be changed by legislation.

Mr. President, there are so many things which enter into the question which is now before the Senate that we had better go slow, we had better watch what we are doing, lest we take action that might result in great chaos in the United States. It might result in stirring up discontent rather than helping the Negro. I want to help the Negro. I warned the newspapers in my State to try to keep quiet respecting the racial question, because the more it is talked about, the more it is agitated, the worse

the situation becomes. Like a fire, it feeds on itself.

Mr. President, could we enact a law which would succeed in making one love a Jew or hate a Jew? Could we enact a law which would succeed in making one love a colored man or hate a colored man? No. I am speaking for the South, and I say that it will be found that in the South the colored man has advanced during the last 20 or 25 years as rapidly, if not more rapidly, than any other race has advanced in all the history of the world. Learn the facts and see if that is not so.

Mr. President, this bill in effect says to a man, "You are discriminated against." Such a bill stirs up race antagonism. Senators will notice that the bill is not sponsored by those who are particularly interested in the people of the South. I am interested in the people of my South, both white and black. I know that if the income of the people of my State is increased it will result in raising the standard of living in my State. But if something is done which will make the members of either the white race or the colored race think that the members of one race are doing an injustice to the other, it will be found that friction will immediately develop. If two sticks are rubbed against each other long enough fire will result. Sufficient friction can result from the passage of the pending proposed legislation to cause serious trouble.

Mr. President, I am here today to tell the world that the South did not start this movement. I have heard Senators say on this floor, "You who are from the South know more about how to handle the colored race than I do," and then they turn around and say, "But we will tell you how to run things down in your part of the country."

Mr. President, I am not going to tell a Senator from a State whose main industry is mining how to carry on the mining industry. While I am Senator from South Carolina I shall not do such a thing. I do not know anything about mining, and I am not going to tell Senators from mining States how to run their business. I am not going to tell a Senator from a great cosmopolitan center such as New York, Chicago, or Detroit how to handle the affairs of a great city. But I can tell the Senate how we handle our affairs in South Carolina; and that without having any trouble. In South Carolina we follow the instinct which is inborn in the colored race as well as the white race, and let the two races segregate themselves. They do it themselves. In most places we do not have to segregate the races. In towns where there is no segregation it will be found that the colored people live on a certain street. No one makes them stay there, but it will be found that they go there automatically. Leave that up to them.

Mr. President, I venture to say that if six colored people were to go to New York, without anyone interfering with them or telling them where to go when they reached New York, if they were simply turned loose, in less than 10 days after they got to New York, even if they had to walk all over the town, they would be found in Harlem, with the other col-

ored people there. I think everyone realizes that to be true. Then why are we trying to build up a dam, so to speak, to push back the water against something that we know is fundamentally wrong? If we do that we will have more outbreaks such as there were in Detroit. I warn Senators that if we pass this bill trouble will result when members of the two races get together.

We might as well call a spade a spade. In my State, when some white boys go into a colored settlement we occasionally hear that one of the white boys has been cut up. If he had stayed in the white settlement he probably would not have been cut up. The opposite is also true. Let white boys go to what is called a Negro "hot spot," and trouble is likely to result.

Mr. President, I am trying to bring to the attention of the people of the United States what I believe to be for the best interest of all the people, not simply for 13,000,000 people, but for 140,000,000 people. What I now urge is for the benefit, as I believe, of all the people of the country. I am not speaking simply for the interest of 13,000,000 people, or for a group of 5,000,000 or 6,000,000 people.

Mr. President, referring to the Jewish people, I will say that I do not know of any Jews who voted against me in South Carolina. Their vote shows how I feel toward them and how they feel toward me. When I was going to college I worked in a store conducted by a Jew. However, there are some people—and I hate to say this—who do not like Jews. And some Jews probably like the people of their own race a little better than they like the people of other races. That is human nature, and the bill cannot change human nature and legislation never will. I fear the enactment of this bill, however, will do harm to our great country.

I have before me an article from the *Manufacturers' Record* of January 1946, written by George H. Fisher, chairman, labor committee, American Society of Industrial Engineers. I read one or two paragraphs:

Race is the only basis upon which nature herself segregates the peoples of the earth.

The yellow people have stayed together. The white people have congregated, and the colored people have congregated in the past.

For the sake of compatibility society segregates according to age in our schools, according to sex in rest rooms, according to religion in churches, according to occupation in union halls, according to political beliefs in parties, according to height, weight, experience, skill, and so forth, in industry. No one has seen fit to object to such subdividing for the sake of convenience or for other practical reason. Yet, taking their cue from the leftist race agitators, our intellectuals in the labor movement somehow find it immoral to segregate, as nature herself has done since the dawn of history, on the basis of race.

This is not my statement. This is the statement of the writer of the article.

In thousands of test cases it has been found that 95 percent of all Negro haters can be cured through the natural-assimilation method if the element of force is absent. In the large northern cities racial problems are being solved in this fashion on a practical scale. Not only in industry but



in the fields of housing, religion, politics, and so forth, whites and Negroes are associating together in perfect harmony when common sense and imagination are applied instead of crack-pot social dogmatisms, which seek to compel by legislation that which is best accomplished by free-will action.

Racial intolerance is an emotional malady, and it cannot be curbed through legislation any more than drunkenness was curbed by the Volstead Act. When world peace is restored and we can consistently preach against hatred of all races and peoples then we will again make headway with our brothers-under-the-skin thesis. But at a time when all the world and its races are entangled in a hopeless criss-cross of deliberately-spawned hatreds we are foolish indeed to saddle ourselves with legislation that can only insure the continuation of the same kind of hatreds.

During the past several years there have been promulgated in this country certain theories of government—and this is one of them—and philosophies of life directly contrary to those under which this Government was founded and on which this Nation was builded. When this country started there were two schools of thought. One of them wanted a strong national government, to control everything. I am glad to say that those of that school of thought were not in the majority. Our great leader, Thomas Jefferson believed in the masses. He believed in freedom of thought, freedom of speech, and the other great freedoms about which we talk. We have heard a great deal in late years about the "four freedoms." They are nothing new.

If Jefferson's philosophy had not been followed, and we had tried in the United States to make all the people and all the States act alike all the time, even the War Between the States would not have been lost. There would have been enough to have fought against that theory, and to have won.

So far as the South is concerned, I am one of those who believe that the South would have been far better off if the War Between the States had been won by the Southern Confederacy, because ever since the War Between the States something has been popping up from time to time as a result of efforts to try to penalize the South. Anyone who reads history knows that what I am saying is true. We have been discriminated against to the extent of billions of dollars in freight rates alone. For a long while the South was kept from having industries; but, thank the Lord, we are getting them now. Water cannot be prevented from running downhill. Industries belong in the South, and they cannot be kept from going there.

The West had better wake up, too. It is in the same situation so far as freight rates are concerned. It is asleep, and does not know that anything has happened. I am reminded of the story which I heard about a colored boy in the First World War. The colored boy and a German were engaged in a fight. Both of them had been disarmed and were going at it with only their fists. Suddenly the colored boy happened to think about the straight razor which he carried in his pocket. He reached into his pocket and got it, and made one swipe at the throat of the German. The Ger-

man jumped back and said, "You didn't touch me." The colored boy said, "Just wait until you turn your head, and you will see." [Laughter.]

The same thing is true of the West. As soon as the West wakes up and wants some industries, particularly in the Northwest, it will find that its head is completely cut off so far as freight rates are concerned, and it cannot do a thing until there is an adjustment of freight rates.

It was inevitable that sooner or later this question would come to a head, and that there would be a fight to the finish between the two divergent views about which I was speaking a few moments ago. This has happened in the introduction of Senate bill 101, the so-called fair employment practice bill. The sponsors of the bill brought it before Congress when they knew, and everyone else who had a grain of sense knew, that they would have a fight on their hands. They have not seen anything yet. The fight has just begun, so far as I am concerned.

The bill proposes to make permanent the FEPC, a bureaucratic control originally set up by Executive order as an emergency war measure. It is proposed, through a permanent act, to prohibit discrimination in employment because of race, creed, color, national origin, or ancestry. When I read all those words and realize all that they cover, I am forced to laugh. I know that such a law would be a farce, just as the newspapers back home said it would be.

Mr. President, what is the veiled intent and ultimate purpose of this measure? We people of the South take the position that certain provisions of the bill relate to proposals in connection with the conduct of our Government in which we do not believe and upon which we think we should not agree to compromises. Is there any cause to do so? Would the bill bring about any good result? I think we should consider that point.

I hope no Senator joined in introducing the bill because he hoped that thereby he would obtain a few more votes in the next election. I hope no Senators have done so. I certainly did not stir it up. I do not run for office again until 1950; I shall be here until 1951, I hope, God sparing me. I am not speaking in an effort to gain any votes in any election; but I believe that if the attempt to pass the bill continues, probably at some future date someone will lose some votes, one way or another. It seems to me that those who continue to stir up strife and discontent will be likely to lose some votes. I would hate to see anyone lose votes on account of this bill, but such might become the case. As I stated when I spoke on this bill the other day—and I spoke then for approximately four hours and half—Mr. Dewey, in New York, probably did not gain many votes or much influence because of his support of the bill which was adopted in his State. From the looks of things, it seems to me that conclusion is justified. He had the legislature of his State pass a luke-warm kind of bill which is virtually nothing as compared with the bill which now is before the Senate of the United States.

The New York bill does not provide for putting men in jail or fining them \$5,000. Under the law in New York the procedures will be more or less subrosa. Of course, in our college days we found that sometimes some of the things done in the fraternities were more or less subrosa or under cover; and similarly we find that in the State of New York, under the provisions of the New York FEPC law, everything is being kept rather quiet. But, Mr. President, they have a tiger in the cage, and they do not dare to turn him loose. That is what the situation in New York amounts to.

All lawyers know that many persons find it very easy to believe that they have been willfully discriminated against or willfully injured. When I was engaged in the practice of law I represented thousands of laboring people in my State, and I know something about the matter of discrimination. Many times people are discriminated against, but many other times they simply imagine they are being discriminated against. All too often such injuries exist only in the minds of the persons who complain. So we see how easy it would be under the provisions of the pending bill for a Chinaman or a colored man or a Jap or someone else to claim that his failure to obtain a certain job was because discrimination was practiced against him. Mr. President, the pending bill would stir up, not one, but thousands and thousands of lawsuits throughout the United States. It would cause much bad feeling between the races, instead of developing good feeling. That is what I believe the bill would do. I challenge anyone to ask any person who has studied the peculiarities of the various races to summarize his findings. Any person who has made such studies will admit that every race, it matters not what race it may be, has certain peculiarities, and that often the members of a race which has been more or less subdued and which finally has emerged will feel they are still being penalized, even though such is not the case. Of course, sometimes they are justified in such beliefs.

Mr. President, we might just as well try to pass a law declaring that all God-fearing men shall go to heaven. It would be just about as sensible to try to pass such a law as to try to pass the bill which now is before the Senate, and it would be just about as sensible to believe that by passing such a bill the desired results would be obtained. That is the way I feel about the pending bill, Mr. President, and I believe that all other Members of the Senate will feel the same way if they will look into the facts and will consider the peculiarities of the various races.

So, Mr. President, this bill is, in fact, exceedingly dangerous to the whole Nation, though it be aimed, as I see it, directly at the South. This infamous measure is but the culmination of a series of discriminatory acts against the South which extend as far back as the reconstruction days immediately following the War Between the States. I have previously mentioned that point.

In considering this iniquitous bill, Mr. President, let me say there can be no

question about its main intent or purpose. It would control the relationships between the races. I ask all Senators to read the bill and see if they do not find that that would be the case. The bill seeks to set up certain restrictions and regulations which the people of the South would never accept, unless at the point of a bayonet or because they were required to do so by sheer force. That is a strong statement, Mr. President, but it is justified by the very nature of the pending bill. Public opinion against its provisions is so strong that even force could not quell the assertion of the people's rights under the Constitution.

Mr. President, the South has no race problem. In the South we do not have any race riots. Although many persons have cried out about antilynching laws, we do not hear of any lynchings in my State. Just trust us to handle the situation down there, and we will take care of it. We have had no lynchings in more than 20 years. That cannot be said for Harlem or for other parts of New York, I believe. In that locality they may not call it lynching; they may merely say that some of the gangsters have been teaming up and shooting people down.

Long ago the people of the South settled the race question in the only sensible way in which it could be settled, namely, by segregation. Segregation is not discrimination but, instead, it operates for the benefit of both the black and white races. It will be found that in the South the members of the two races live in segregated communities. There is an old saying that "birds of a feather flock together." Races do the same. There was no law which made them segregate, but they automatically adopted that system because they wanted to associate together. That is the way in which the situation has been handled in the South, and it has been handled very satisfactorily.

Mr. President, the South will not accept any measure which has the undoubted intent of destroying segregation, and at the same time permit social equality between the races. We believe that the colored people should have their colleges, their elementary schools, and their churches. If they desire communities, they may have them also. Let them remain in them. Let the rest of us leave them alone.

The people of the South believe that they are the best friends of the colored race. Why should we not be their best friends, Mr. President? We know that we have them with us. They will remain with us, and if they are not allowed to help build up our State they will pull it down. That being true, why should certain persons in other States come to South Carolina and tell us how to conduct our affairs? While I was Governor of the State, on certain occasions, I told some persons who tried to interfere with our race problem to get out. If they come around pestering us too much again, I may repeat what I then said. Sometimes such persons will back away when the governor comes forward and tells them where to step and where not to step. We do not want to be obliged to follow such a course. But that is what we are confronted with when there is

forced upon us legislation of the kind which is now before the Senate.

Mr. President, a great deal has been said about the laboring man. Let me say that I have been favorably inclined toward labor, and have made many speeches on the stump in behalf of labor. But I assert now that labor is being done a disservice by forcing upon us in the State of South Carolina, and in other States of the South, a bill of the type which is now under consideration. I do not have to tell a sensible man whether legislation of this type would be beneficial to the laboring man. God knows I want him to be organized. I think that it is necessary for him to organize in order that he may secure his rights. I am stating facts, and nothing else. When a representative of the FEPC comes to my State and asks, "Did you do this or did you do that," I am fearful of what the results will be. I am speaking in behalf of the interests of the laboring people of not only my State but of the entire Nation. I believe that every good South Carolinian would do the same. I know the feelings of the people who are required to work. I toiled in the cotton mills for 10 long years. I wove in the cotton mill. I worked as a section man in the cotton mill. I was employed in many cotton mills, and played baseball as a member of the teams of those mills against the teams of practically every other mill that was in existence in South Carolina at the time. I repeat that I know the feelings of the people who work in those mills. I am now telling the laboring man what will result from any movement having as its object the passage of a bill such as the one now pending before the Senate. I ask labor to turn the situation over in its mind and see if the pending bill would result in any benefit to labor in my State.

I am talking straight from the shoulder and trying to give the laboring man some facts which I believe could be used in behalf of all the people of my great State. We do not wish to see enacted legislation which will stir up strife, and do a great deal of injustice not only to the colored man but to all the laboring people of my State, as well as those of other Southern States.

Mr. President, I believe that it is only those outside the southern region of the United States who have not settled the race problem, and do not seem to know how to settle it, who are interested only in promulgating the enactment of measures which affect race relations. The people of the South believe that the handling of the race problem is a matter for local self-government. The people who desire to have enacted such a bill as the FEPC bill have the privilege of supporting it, but the people of any State not desiring such a bill should not have it forced upon them. The people of my State believe in local self-government. In my State we have more than 1,500 school districts which are operated by the trustees of the respective districts.

So far as possible, the State refers administrative matters affecting the school districts to the counties and in turn, the counties refer them to the school districts. Do Senators know why that is true? It is true because the people in

South Carolina believe in local self-government.

Mr. President, the circuit court judges of my State, 14 in number, are elected from their judicial circuits. The reason for that is that there is a desire to give the people more local self-government. It will be found throughout the South, more so than in some other sections of the United States, I imagine, that the people like to run their own affairs. They do not want an outsider coming there and telling them what to do. If someone from outside the State should come down there and try even to tell the people for whom to vote, they would resent it. I have gone to other States and made political speeches, but no one has ever come to South Carolina and spoken and told the people for whom to vote. The reason is that my State believes in State rights, and in being left alone. They say, "You run your affairs, and we will run ours."

The South sees no reason why a bill which has almost the unanimous opposition of its people should have crammed down its throat this FEPC measure.

Mr. LUCAS rose.

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Illinois?

Mr. JOHNSTON of South Carolina. I yield for a question.

Mr. LUCAS. I have no question, but have I not, under the rules, the right to stand, or do I have to sit down?

The PRESIDING OFFICER. The Chair rules that the Senator from Illinois has a right either to stand or remain seated. [Laughter.]

Mr. JOHNSTON of South Carolina. I thank the Senator from Illinois for standing up. That is all right, so far as I am concerned.

Mr. LUCAS. I thought I could hear the Senator from South Carolina better if I were standing than if I were sitting.

Mr. JOHNSTON of South Carolina. I thank the Lord for my voice. I have never heard any complaint about people not being able to hear me when I speak. [Laughter.]

Mr. LUCAS. I hope the Senator does not take any offense.

Mr. JOHNSTON of South Carolina. Not at all. As I understand, 20 States of this Union have had in their legislatures proposals similar to the bill which is now before the Senate. They must not have thought well of the idea. A good many of them did not even let the measure get out of committee. Only two of them passed such a measure. I hope Senators will read the laws which were passed. If I ever saw a makeshift law, the FEPC laws of New York and New Jersey are makeshifts. They promise people everything and give them nothing. That is what they do. "We want your vote, so we will pass a bill for you. We do not want to stir it up yet awhile until the ones who had it passed get back in office and things get settled down so that we will know at whose door to lay it." It occurs to me that that is the way the matter is being handled at this time.

The legislatures of 18 States considering such legislation have rejected it.



I am sorry the Senator from New Mexico, one of the authors of the bill, is not present. The Legislature of New Mexico considered an FEPC bill, but, as I recall, it did not even get out of committee. That is the information I received from the Senator on the floor of the Senate a few days ago.

As I stated, New York and New Jersey have seen fit to put some kind of an FEPC measure on their statute books. Has much been accomplished in New York? If either Senator from New York is present, I should like to know what the law has accomplished, how much good it has done. I should like to know what this cure-all has accomplished in that State. They may say, "We have not had time yet to know just what is going to happen." Well, if they have not had time, let us wait just a little while and let us see what is going to happen there. Let us see what the reaction will be.

Mr. TAYLOR. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield for a question.

Mr. TAYLOR. The Senator asked what the reaction has been in New York. A few days ago I was talking to a man from New York State who runs a coal yard. I do not know how large or how small or how black the coal is he sells, but he said that the FEPC bill passed by the New York Legislature was working very well. I did not go into the details, but that is what he said, and he was a businessman there.

Mr. JOHNSTON of South Carolina. The Senator talked with him?

Mr. TAYLOR. I talked with him personally.

Mr. JOHNSTON of South Carolina. I, too, have received some messages from New York. Only this morning I received a letter from New York, which reads about as follows:

For God's sake don't let that FEPC bill pass. It does not amount to a thing.

That is about the way the writer of the letter, who lives in New York, expressed himself.

It certainly has not done any good in this State.

That was the word I received in a letter from New York this morning.

We heard the Senator from New Jersey [Mr. SMITH] speak on the bill. I yielded the floor to him a few days ago, and he said that, of course, they had not had time as yet to feel out the situation in New Jersey, but they were hoping to be able to analyze it in the near future. That was his statement on this floor, or something along that line. He also opposed bitterly some of the features of the pending bill. He concluded by stating that a workable bill should be submitted to the Senate.

The people of the South believe that the title of the bill is a misnomer. Everyone who has read the title of the bill, "Fair employment"—

Mr. BARKLEY. Is the Senator in the title business? [Laughter.]

Mr. JOHNSTON of South Carolina. Yes; I am in the title business. When a title is wrong, I always advise my clients that there is a defect in the title, and it

is my business now to show the defect in the title of the bill as best I can. There are so many defects in the title that I cannot accept it, and I shall tell my clients about it, and let others vote according to their convictions.

I would say that the title should have been "Unfair Employment Practice Act." That really would have been a little better, to my way of thinking—"Unfair Employment Practice Act." In South Carolina the people believe that such a bill would be unfair to the employer, because it would take away from him the right to select his own employees.

Probably some of the Senators listening to me have employed persons. A great many things enter into the employment of a man. A few days ago I was talking to a man who said he never employed a fellow who parted his hair in the middle. I do not know why he took that attitude, but that was his peculiarity, and it would not be possible to knock that idea out of his head. We could not make him think differently by passing a law. When one came to him for a job, whatever might be his nationality, he would be turned down if he parted his hair in the middle.

Mr. President, a great many establishments have what they call an employment division. If one walks into such an establishment to get a job, they say, "Have a seat," and all the time the applicant is sitting there they are observing him, looking at him, giving him the "once over." He may not know it, but they are studying him from the top of his head to the soles of his feet. They might look at his hands and see how they looked. I have known people to be turned down because their hands looked too delicate to do the work. Sometimes I have known people to be turned down because their hands looked too rough. So much enters into the employment of an individual that we cannot say that an employer is discriminating when he turns a man down. If a man happened to be of a minority race, and somebody else got a job for which he was applying, we could never tell him that he lost the job because he parted his hair in the middle, or because he had rough hands, or because his hands looked too tender. He would think he was not employed because he belonged to some particular race. That is what we are facing, and we might just as well understand it.

I see sitting before me the Senator from North Dakota [Mr. LANGER]. He knows that in North Dakota that is what happens. If a man in North Dakota employs someone, does he not look him all over before he employs him? Does he not study him? Certainly he does. He is really going to try to get someone who can do the job for him. That is what he wants, whatever the job happens to be. He is probably not going to turn an applicant down because of his color or his creed.

If one belonging to a minority race did not succeed in getting a job he might turn the matter over in his mind, and when he met someone on the street he might say to him, "I have been discriminated against." He might continue walking down the street telling those he met how he had been discriminated

against. Finally he might meet someone who agreed with him and said, "Yes, I believe you were discriminated against," and they would begin to stir up trouble. Later he might meet another man who agreed with him, but who was more aggressive, and so the trouble and the agitation would grow.

It has happened that a man in walking down the street has met someone who said, "John, you look very bad today." Farther down the street he met another man who said, "John, you look very bad today." When he met a third man who told him the same thing he really began to feel that he was sick and went home. He may not have been sick in fact, any more than the man who failed to secure employment was in fact discriminated against, when the employer chose to employ one whom he thought was better fitted to fill the position he wanted to have filled.

This proposed legislation is unfair to the majority of the employees because it would force the employer, against his will, to place all his employees on an equal social basis, something which both the employer and the employees do not want, something over which they have no control.

Mr. President, do majorities have no rights in this country? Let us say an establishment employs 49 individuals who object to one who applies for a job because of the fact that he is a so-called conscientious objector, who did not want to fight for Uncle Sam. There are organizations and sects in this country here and there whose members say they will not fight for their country. If the 49 persons employed in the establishment did not want such a person to work with them should not their wishes be respected? Yet this bill would make it necessary to employ such a person against the will of the majority.

Mr. President, I think majorities do have rights. The Gallup poll shows that the majority of people of the United States do not want this bill. I can go a step further and say that each individual State has a right to say, by a majority vote of the State, what its people want in regard to matters of this kind. If it is intended to run roughshod over the majority, then I think it is time for me and for other Senators to do anything within our power to preserve the rights of the majority. One may call our action a filibuster, or a "buster" of one kind or another, but I think we are entitled to cry out against this legislation and call it to the attention of the majority of the people of the Nation. I especially do so now for the majority of the people of my State. My people have spoken, and they have made it known that they do not want such legislation as this.

The fourteenth amendment to the Constitution contains a provision which may be availed of in argument on the subject, but it does not have reference to such a thing as employment, or anything of that kind, for the Constitution gives citizens the right to contract with each other without being interfered with in such a matter as is attempted by the establishment of a Fair Employment Practice Commission.

Mr. President, if this bill were to become law could any of us contract freely with an individual to work for us? No. We would be obliged to hire the individual whom the members of the proposed Commission told us we could hire. We would run the risk of hiring someone whom it might afterward be contended we should not have hired, because it would be alleged we had discriminated against another, and 6 months or a year later a decision might be made against us and we would be compelled to pay back pay which it was alleged was due the one who was not hired.

Then the question is asked why some Senators are against the bill. Read the bill. I wish every newspaper would print the bill on its front page. If newspapers want to do something good for the United States, let them print the bill on their front pages. Then they will find out what will happen to it. The people as a whole have not had an opportunity to read and to study the far-reaching effect of a bill of this kind, a bill which reaches down into many little establishments which employ six or more individuals, and tells the employer what he may do and what he may not do.

Mr. President, I cannot see how the proponents of this bill can advocate such legislation. But what amuses me more than anything else is that, as we refer the bill section by section, one Senator says, respecting one section, "Oh, yes; we want to change that section. We do not want it to be in that form. We will cut out a word here and a word there. We will cut out the word 'creed' and insert the word 'religion'." "Oh yes," it may be said, "creed" covers too much.

Another Senator says, "Oh yes, I will offer an amendment. I will offer an amendment to the bill which will provide that a person who is not a naturalized citizen may not object if he is not employed. I do not think he ought to have rights over the majority. I do not think he ought to have the right to come in under the bill. So I will offer an amendment to cover that point."

Another Senator says, "Oh yes, I think the man accused ought to be tried in his own State. I am willing to amend the bill to cover that point."

Another Senator says, "Oh yes, I think too many of the colored race are employed by the FEPC now. Fifty-seven percent of those employed by the present committee are Negroes, although the Negroes compose only 9 percent of the population. The bill provides for the creation of a Commission to take over the duties of the present committee, but the matter of employment in the Commission in the future should be cared for."

Another Senator says, "Yes, I think the penalty provided is too severe." The extreme penalty provided in it is what killed the Volstead Act. It called for imprisonment for 5 years, and when a few influential individuals had hanging over their heads jail sentences of 5 years, the Volstead Act was killed. I am not talking against prohibition, because I favored it, but I say that if the terms of the Volstead Act had been reasonable, the Volstead Act as well as the Prohibition Act would probably now still be

in effect. If the terms had not been so harsh and far-reaching, the prohibition amendment would probably not have been repealed.

This bill, Mr. President, takes in so much territory that the Commission could really run the whole United States.

Some Senators employ more than six individuals. Such Senators would be covered by the terms of the bill. Some Representatives may not have as many as six employees on their staffs and they would not be affected by the bill. But those employing more than six would be affected by it. When a stenographer leaves and it is necessary to employ another the one doing the employing must be very careful lest he be accused of discrimination by employing the wrong person. If the bill becomes law and it is found that many employees have been, as may be charged, discriminated against, it may result in a supplemental appropriation being made to take care of those who were not employed.

Mr. President, should this bill be passed it would set back immeasurably the colored race's chance for self-improvement and advancement of its position in the life of the Nation. The colored people are progressing. They are going forward. When my little girls know that I am trying to compel them to do something they do not want to do, if I am not watching them all the time they may do what I tell them not to do. Psychology teaches us it is not well to tell people not to do this and not to do that. A certain reaction occurs in an individual when he is told he must not do this and he must not do that.

The only conclusion that can be reached, therefore, is that the proponents of the bill are mainly interested in securing bureaucratic control over the business and industrial life of the Nation by throwing the control of employment into the hands of a central government bureau rather than leaving it to the decisions of the individual employer; and that they are interested in doing it in such a way that it must be forced upon the people of the South. The South will resist such an attempt, Mr. President, and many other people will resist this proposed legislation when attempts are made to enforce it. The Senator from North Dakota will find that business in his State will resist it. They will not like it when a Government agent goes there and tells them that they are discriminating. The proponents of the bill are interested in accomplishing their object in such a way as to force the bill upon the people of the South, who, in accordance with their beliefs and principles, would never accept such restrictions and regulations. The FEPC is bad enough in itself, and in the various regulations and restrictions which it provides, but in the light of its intentions and purposes, and in view of the administration it would receive at the hands of a Government bureau, it is immeasurably worse.

It is bad enough to go into a courtroom with a paid solicitor against one, but one is in a terrible situation when the judge, the solicitor, and the jury are "fixed." The FEPC goes forth and searches for the information. Then a representative of the FEPC sits in judgment and listens

to the evidence. He has probably already gone over the evidence and has already given his opinion that the evidence is sufficient to convict, before there is ever a hearing in the case. Anyone within the sound of my voice who has had anything to do with the sort of trials which are held before boards and commissions knows that to be true. That is what we are coming to in the United States.

We are asked to enact such a law at this time, when the country is in turmoil, when we are being called upon in the United States Senate to pass legislation to care for suffering humanity, not only in the United States, but the world over. Think of the millions who will probably die this month because they lack the necessary food and clothes to sustain life. Under those circumstances we take up our time in the Senate on a question which, in my opinion, can only result in a great deal of bad feeling throughout the Nation. So it does not seem, after all, that we are what we claim to be, the greatest deliberative body in the world. I did not bring up this question. If it had been left to me, the bill would never have been introduced, much less reported from the committee.

Visits to many sections of the country and correspondence throughout the whole region convincingly demonstrate that the people of the South are determined to do everything in their power to prevent the passage of the bill. I think that is well illustrated by the action of practically all Senators from the South who speak for their States on this question.

Many things have impeded or tended to impede the progress of that great part of the country known as the South. I cannot help but mention time and again—and I shall continue to mention—the discrimination practiced against the South in the matter of freight rates. Now we are about to be confronted with the possibility of having a ceiling price placed upon the most substantial produce of the South, raw cotton. If a ceiling is to be placed on cotton in order to protect the purchaser, a ceiling should be placed on everything that enters into the finished product, and upon retail prices in the stores, in order to protect the people who buy cotton dresses.

Last night I was talking with my good wife. I asked her, "What did you pay for that little cotton dress that Sally has on?" She said, "\$5.95." There was not a pound of cotton in it. I doubt whether there was half a pound of cotton in it. I asked her, "What did you pay for a similar dress a few short years ago?" She said, "About \$1.39 or \$1.59, at the same kind of store where I bought this one—a store which adds odd cents to the price." If a ceiling is to be placed on the price of cotton, it should be placed on everything which enters into the finished product.

I am throwing out a warning to the OPA. I will have to know something about the ceiling price on cotton before I will even vote to continue the OPA. That is the most vital thing to my people in South Carolina. At one time I vote meant something on the question



whether or not the OPA should be continued. I believe that my vote will probably be worth something; and other Senators who are interested in cotton will probably also have some voice in the matter. I have told the OPA the same thing I am now telling the Senate.

The OPA said, "We will put a ceiling price on cotton grown in the South, and dresses which formerly sold for \$1.39 may be sold for \$5.95." Everyone listening to me knows that to be true, and that the ratio of the prices is as I have indicated.

Mr. McFARLAND. Mr. President, will the Senator yield for a question?

Mr. JOHNSTON of South Carolina. I yield if I am not taken from the floor.

Mr. McFARLAND. I hope this question will not take the Senator from the floor.

The Senator is speaking about the OPA, and the ceiling price on cotton. Does the Senator believe that the OPA ought to continue a ceiling price for a commodity when more of the commodity is produced than is consumed?

Mr. JOHNSTON of South Carolina. Let them put a ceiling price on wheat, or oats. More is produced than is consumed.

Mr. McFARLAND. I do not believe the Senator understands my question. Does the Senator believe that eventually OPA should be eliminated entirely?

Mr. JOHNSTON of South Carolina. Absolutely.

Mr. McFARLAND. How does the Senator think its elimination ought to be brought about?

Mr. JOHNSTON of South Carolina. We must gradually get away from OPA and price fixing. We must have an independent people in the United States. We must stop telling them what to do and what not to do. I am becoming tired of all boards, bureaus, and commissions. This one is about to put me down. That is my feeling. The more they try to put on me, the more I will try to kick out from under the others.

Mr. McFARLAND. Does not the Senator believe that the law of supply and demand should govern prices?

Mr. JOHNSTON of South Carolina. The law of supply and demand will handle price fixing. If there is too much of a certain commodity produced, the price will be held down.

Mr. McFARLAND. What the Senator from Arizona wished to ask the Senator from South Carolina was this: With respect to commodities as to which the supply is greater than the demand, should not price ceilings be taken off immediately?

Mr. JOHNSTON of South Carolina. I think so.

Mr. McFARLAND. Is not that true with respect to cotton?

Mr. JOHNSTON of South Carolina. It is true with respect to cotton. We have more cotton than we know what to do with. Every year we carry over into the next year almost an entire year's crop. Now the OPA wishes to put a ceiling on it. I do not see why it is necessary, in the first place. The Senator is absolutely correct.

Could anything be more insulting or discouraging to the great number of our citizens who earn their living by raising cotton than a ceiling price upon their largest money crop at this time, when we are confronted with strikes in our vast steel industry? We have also been facing the meat-packing industry strike, the automobile industry strike, the textile industry strike, and the electrical industry strike. Workers in those industries, with Government support and Presidential sanction, are demanding substantial increases in their weekly pay. Yet the cotton farmer of the South, including South Carolina, who forms the backbone of the industry of the South, faces the likelihood of disaster by having the OPA place a ceiling price upon his largest money crop.

Further to show the unfairness of the OPA ceiling on the price of cotton, let me say that no ceiling is placed upon the prices of things which the farmer must purchase in order to produce cotton. The OPA places a ceiling on some of the first processing. In most instances a ceiling is placed on the manufacturer, and then the goods are turned loose. After the ceiling price is placed on the cotton it goes into the market and is made into a dress. The OPA says, "We cannot tell exactly the character or quality of this dress. If it were an Arrow shirt we would know what price to put on it." If the product were named Dixie or Columbia or some other name, a better price could be obtained for it than for some of the standard goods. That is the way those things work. If children's dresses are made under a different name, the price goes up, and the public at large pays the increased price.

Mr. President, I believe that Senators are beginning to see that no good can come from the passage of the pending bill. Watch my prediction. What started as a minority will prove to be a majority, because I predict that the bill will never be passed.

Mr. President, I understand that other Senators wish to speak on the bill and bring out some facts concerning filibusters. We have talked about filibusters. I do not wish to keep other Senators from speaking on the bill, especially if they wish to speak against it.

I ask any of the proponents of the bill to take the bill up section by section. Before they are through they will have to acknowledge that it is a bad bill. That being so, the only thing to do is to kill it. Down home we believe that snakes are bad, so we kill them. I believe that this bill is a bad thing, so I think we ought to kill it. It can be compared to a snake, in this respect: if one starts at the front of it, it looks pretty good. When one looks at the front of a snake, and looks into his eyes, the eyes of the snake do not look bad. The same is true of the bill. At the front is a picture of what the proponents say it will do. But by the time one gets into the first section the snake sticks out his tongue. Then, when one gets into the second section of the bill, it becomes a snake. When we go further and read later sections of the bill, we see it begin to wind itself around everything with which it comes in con-

tact. It curls itself around everything. So I think this bill is a snake. Down home we kill snakes, and if it was down home we would kill it. Therefore, I am in favor of killing this snake.

Mr. President, I believe the Senator from Mississippi said he wished to make some remarks.

Mr. BILBO. I desire to speak, but I do not wish to interfere with the splendid address the Senator from South Carolina is making.

Mr. JOHNSTON of South Carolina. I understand that the Senator from Mississippi wishes to speak. If he does, I shall yield the floor to him at this time.

Mr. BILBO. The Senator from South Carolina has been doing good work. As long as he is doing so well, I am glad to have him continue.

Mr. JOHNSTON of South Carolina. Mr. President, at this time I am glad to yield to my colleague from Mississippi.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1405) to authorize the President to retire certain officers and enlisted men of the Navy, Marine Corps, and Coast Guard, and for other purposes.

JOURNAL OF THURSDAY, JANUARY 17, 1946

The Senate resumed the consideration of Mr. HOEY's motion to amend the Journal of the proceedings of the Senate of Thursday, January 17, 1946.

Mr. BILBO. Mr. President, in the first place I wish to read two paragraphs from the Republican Party's platform, adopted at its Chicago convention in 1944:

We pledge an immediate congressional inquiry to ascertain the extent to which mistreatment, segregation, and discrimination against Negroes who are in our armed forces are impairing morale and efficiency, and the adoption of corrective legislation.

We pledge the establishment by Federal legislation of a permanent Fair Employment Practice Commission.

Mr. President, I take it that there are some Republicans who feel inclined to support this unconstitutional, Communist-inspired monstrosity known as the FEPC because the Republican Party in its platform declared itself in favor of it at the insistence of groups who gathered in Chicago when the party platforms were being written. But I should like to observe that, contrary to the prevalent belief, when the Democratic Party met in 1944 and wrote the platform upon which it was to go before the people and request to be retained in power, it said not a word about the FEPC. In the Democratic Party platform there is not a line which commits our party to support this unfair and disastrous piece of legislation. The Republican Party, at the insistence of the groups which were crying aloud for this un-American crackpot scheme, provided for it in their platform and offered it to the people of the country. But the Republican Party was hopelessly

defeated. So it strikes me that that should be sufficient to convince my Republican friends that they are under no obligation to continue to attempt to secure the passage of such legislation, because the people have, in effect, condemned it, or at least it was evidently a contributing cause to the defeat of the Republican Party's nominee in the last Presidential election. So no Republican should feel under obligation to carry out a pledge which was in a platform which he offered to the people of the country, but which resulted in the ignominious defeat of the Republican Party. If I were a Republican, I would feel that I was free to ignore such proposed legislation.

Mr. President, in my opposition to the bill I can be a regular Democrat and I can stand by the Democratic Party's platform and I can fight this bill to a finish. Of course, it is true that the President of the United States who at that time was a candidate for reelection was in favor of it, and he so announced. In fact, he is the one who initiated the FEPC and brought it to life in the United States.

I think it would be well for us to consider the genesis of the FEPC. Let us consider how it came about. The United States of America has been doing business as a government for 150 years. Our people have been hiring and firing employees for 150 years. Through all the years our Nation has continued to grow and expand, until it has become wealthy, powerful, and influential, more so than all the other nations of the earth. Today no one will question that the United States is at the top. We are the strongest, most powerful, wealthiest, and most prosperous nation on earth, and we did it all without an FEPC. In all the years of our history there was no demand for an FEPC. No United States Senator or Representative or citizen ever made such a proposal.

So, Mr. President, something must have happened, some influence must have been injected into the body politic, some idea must have been planted on American soil to bring about the very suggestion of an FEPC.

As a Senator, I was very close to the late President Roosevelt during his lifetime. I have talked to him by the hour. I knew something of his political philosophy, his feelings, his sentiments, his convictions, his ideas, his dreams, his plans, his schemes. In fact, he never seemed to hesitate to speak frankly to me. Some time ago I remarked that I knew him a year before he projected his proposition to enlarge the Supreme Court. He went into detail and told me why it was necessary that something of that kind be done. During all my contacts with him no mention was made of anything resembling the FEPC.

So, Mr. President, how did it come about, and why? As I have said before on this floor, I dug up the genesis of the FEPC and found it in a book entitled "What the Negro Wants." Dr. Logan, of Howard University, selected 14 outstanding Negro leaders to write chapters in the book. Their names are Mary McLeod Bethune, Sterling A. Brown, W. E. Burg-

hardt DuBois, Gordon B. Hancock, Leslie Pickney Hill, Langston Hughes, Rayford W. Logan, Frederick D. Patterson, A. Philip Randolph, George S. Schuyler, Willard S. Townsend, Charles H. Wesley, Doxey A. Wilkerson, and Roy Wilkins. Those 14 Negroes are what we call the intelligentsia of the Negro race in the United States. Dr. Logan had a bright idea. He called in these Negroes and said to them, "I want you to write a chapter for a book which will be entitled 'What the Negro Wants.'" Each one of these 14 leaders of the Negro race proceeded in his own way to write a chapter. Included in the book is a chapter which was written by Dr. Logan. On page 16 of the book he tells us how the FEPC became a living monstrosity in American life. Listen to this:

In recent years some Negroes have adapted an old American technique for the solution of the problem, namely, the mark on Washington. Since I sat with Mr. A. Philip Randolph and Mr. Eugene Davidson in the all-day conference with Mayor LaGuardia and Mr. Aubrey Williams that culminated in the President's Executive Order No. 8802 of June 25, 1941, I can bespeak the power of a threatened march.

I do not see how anyone of this intelligentsia of the Negro race, or anyone associated with them, can talk about the southern bloc of Senators being a group of terrorists who are resorting to intimidation and force, when we read the following:

I can bespeak the power of a threatened march. There are, however, definite limitations on its power. Restrictions on travel have nullified it for the duration of the war and will probably curtail it in the crucial period when the European Peace Conference is held. Housing conditions in Washington and in many other boom cities during these same periods further restrict the number who would march. Even under the best conditions, the march can be used only occasionally unless such a small number participated as to make the march appear to be a bluff.

They believe in numbers.

I continue reading:

Constant vigilance would have to be exercised against agents, provocateurs, or outside hoodlums determined to create disorder or a riot. I definitely favor the march on Washington or on other cities only as a rare, dramatic, powerful weapon that should be used only when all other methods have failed.

In the early days of the war preparations, when Mr. Roosevelt was notified through A. Philip Randolph, Eugene Davidson, and Walter White, of the NAACP, that 100,000 Negroes had been organized to march on the city of Washington and demand that Congress pass FEPC legislation, the President knew that it would mean trouble. He knew it would mean a great deal of disturbance in the Nation's Capital while we were preparing for fighting the war. Logan said:

All day we wrestled with the President and finally we persuaded him—

No; they did not persuade him, they intimidated him; and he signed Executive Order 8802, which created the first FEPC, and of which the editor of the Louisville Courier, of Louisville, Ky., was made chairman. He tried to operate it.

It got too hot for him. He resigned, and then the President was persuaded to issue another Executive order making the FEPC a little stronger than it was under the original order. Under the second order the present FEPC continued to operate, and is operating at the present time.

I have shown the beginning of the FEPC in the United States. The appropriation for a continuation of the FEPC came up for consideration after the end of the war last year. Some of us felt that it had served its purpose if it ever had had any purpose to serve. The only claim asserted in its behalf was that it had been established as a war measure for the sake of unity. No; not for the sake of unity, but it was said that the FEPC had been established in order to utilize all the manpower of the Nation in connection with the war effort. That was its purpose. It was also claimed that discriminations were being practiced against certain nationalities and certain races in this country, and that we were not receiving their full cooperation. Therefore, through the long, strong arm of the President, and under the war powers which had been given to the President, he issued Executive Order 8802, which violates the Constitution of the United States and violates the decisions of all the courts, as I shall later show by reading the authorities.

But, Mr. President, the FEPC was a fine thing for a favored few. When, last year, we were asked to make additional appropriations for the FEPC, it had in its employ approximately 115 persons. Strange to say, 65 of those employees were Negroes.

Mr. President, I wish to say that I have no prejudice against the Negro. I was born and reared in a State in which there were more Negroes than in any other State in the Union. I was born and reared in a State in which Negroes were in the majority. Mississippi is not like the State of Idaho, I may say to the Senator from Idaho [Mr. TAYLOR], where there are less than 600 Negroes in the entire State. The Senator does not know anything about the Negro problem except what he has read.

Mr. TAYLOR. Mr. President, will the Senator yield for a question?

Mr. BILBO. I yield.

Mr. TAYLOR. The Senator from Mississippi at least knows that any interest which I have in this bill is not inspired by a desire to gain the votes of 600 persons.

Mr. BILBO. The Senator's statement is true. His interest is not in gaining votes, at least not for himself. I do not know about the Democratic Party.

Mr. President, a remarkable fact may be considered in connection with the Negro vote. There are approximately only 13,000,000 Negroes in the United States. I must confess that the Negro vote controls the election of the President of the United States. The Negro vote is so distributed among 12 of the Northern and Eastern States that there are sufficient Negro votes in those States to control the balance of power between white Democrats and white Republicans,



and whichever way the Negro vote goes in those States, so go the votes in the electoral college. There are some persons who are wise enough to know that if they wanted to be President they must not do anything which would offend the Negro vote in this country. Otherwise, they could never be President of the United States.

Things have happened in this country which never happened before. It is said that we must not offend the Negro. I do not blame the Negro. He is smart enough to know that he holds the balance of power in connection with the election of the President of the United States. He is audacious enough to use that power, to take advantage of the fact, and make demands which are unthinkable in the minds of men who pretend to know something about our constitutional form and scheme of government. That is where all the crackpot ideas come from. That is the group behind this proposed legislation, that is where there is the greatest interest in it.

It does not affect the South. In the South two-thirds of the Negroes of the United States live. It does not affect us, as is shown by the fact that Mr. Roosevelt was elected in 1944, and would have been elected if he had not received one single vote south of Mason and Dixon's line. The wise politicians behind the bill know that, and that is why some people are willing to violate the rights and impose upon the rights, the constitutional rights, the inherent rights, of American citizens, by cramming all sorts of legislation down the throats of the 12 Southern States, which did not have anything to do with the election of the last President of the United States. That is why we are a minority.

I wish the Senator from Idaho, who sits before me, would take that home to himself. If the United States Senate were fixing to pass a law which would affect the welfare and peace and harmony and unity and the economic conditions of his State, would he not stand here and fight until hell froze over before he would see his people imposed upon? That is why we are standing here.

Mr. TAYLOR. Will the Senator yield?

Mr. BILBO. I yield.

Mr. TAYLOR. I wish to make just a brief statement, inasmuch as the Senator has asked me a question.

I would fight to protect my State, but I do not believe I would do it by preventing my fellow Senators from ever voting on the question, if I could. I should be glad to let them vote, and to abide by the majority decision. I certainly would use whatever eloquence was at my command and whatever facts I could muster and marshal, to try to show them the error of the proposed legislation. Frankly, I am not too familiar with the FEPC bill. I might be against it. I will admit frankly I am favorably inclined toward it, but my interest is that I want to see our democratic processes prevail, and those who are sent here to represent the people given the opportunity of voting upon this measure.

Mr. BILBO. Whether they vote right or not?

Mr. TAYLOR. Whether they vote right or not. What they are here for is

to vote, and doubtless we all make mistakes at times.

Mr. BILBO. With the Senator's understanding of his obligation, under his oath as a United States Senator, if I were a citizen of his State and he were not willing to exhaust every means, every effort, every technique, and resort to every honorable means to protect his people when their rights and happiness and prosperity and peace and unity and welfare were at stake, I would not vote for him next time.

Mr. TAYLOR. Will the Senator yield?

Mr. BILBO. I yield.

Mr. TAYLOR. I would exhaust every resource I felt was honorable, but I would not feel that it was honorable to disrupt the democratic process and prevent the other Senators from voting on the question.

Mr. BILBO. Then I will follow with the statement that the Senator has a very strange conception about what is honorable. I think that I can show him that filibustering, which has been in practice in this Nation for 150 years—

Mr. TAYLOR. Is an old and honorable profession?—

Mr. BILBO. Is an old and honorable institution. In fact, I propose to devote the greater part of my speech this afternoon to the history of filibustering, and the benefits and glory, the protection and the safety, which have been placed in the hands of United States Senators, who represent sovereign States as ambassadors.

Mr. TAYLOR. If the Senator can do a good enough job, I might join his filibuster.

Mr. BILBO. It will depend altogether upon the mental processes of my subject, to whom I am addressing my remarks. If the Senator declares to me he is open to conviction, I shall undertake the job.

I am not going to take up the time of the Senate. [Laughter.] What is the laughter about, Mr. President? Sixty days is not very long. I shall not take up time this afternoon in discussing too much of the legal effect of the proposed bill, but it might be interesting—and I am sorry the Senator from New Mexico [Mr. CHAVEZ] is not present—to reflect that when the bill was introduced and was sent to the Committee on Education and Labor, not a single witness appeared before that committee in opposition to the bill. The member of the committee who was leading the fight against the bill in the committee was forced to be absent from the city, and the bill was reported to the Senate without his knowledge or his consent, or any opportunity to present his ideas. That is why the committee has brought forth such a monstrosity, and if Senators will read the legal analysis of the provisions of the bill, as adduced on the floor of the Senate by the good lawyers on this side of the Chamber, I am sure they will not vote for it. In fact, the strongest supporters of the FEPC on the other side do not hesitate to declare openly they will not vote for the bill unless it is modified and changed. Yet it was brought into the Senate in the arms of my good friend, whom I love so much, the Senator from New Mexico, and offered as a piece of legislation to be approved by

this body. I really think we have convinced him that it needs an operation.

Mr. TAYLOR. Mr. President, will the Senator yield?

Mr. BILBO. I yield.

Mr. TAYLOR. Was not the bill presented as a piece of legislation, not necessarily to be passed by this body, but to be considered by this body, and if necessary amended, and if a majority so felt, to be rejected?

Mr. BILBO. No. The Senator has the wrong idea about committees. When a bill is introduced and sent to a committee, the function and duty of the committee is to have a hearing, and to weigh every word in the bill, even the punctuation of the bill, to analyze the bill and analyze its ramifications and implications, and report it to the Senate as a perfected document. Then, if any Senator on the floor of the Senate perchance should find some idea in the bill or some phraseology in the bill which should be changed, it is his duty to object.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. BILBO. I yield to the Senator from New Mexico.

Mr. CHAVEZ. If the Senator wants to know whether or not I have changed my mind, or how I feel about it, if he will only give us an opportunity, a majority of this body will vote for the bill as it is now being considered.

Mr. BILBO. As now written?

Mr. CHAVEZ. Right now. Will the Senator give us a chance to try that?

Mr. BILBO. Not if the Senator is in that condition of mind. It will not do to trust him.

For the sake of emphasis, I wish to repeat in my speech the 12 points enumerated by the Senator from North Carolina [Mr. HOEY], who has made a good job of analyzing the bill. His ideas are put in such shape that if one desires to ascertain what is the matter with the bill all he has to do is hurriedly to read these 12 points, and he will find the guts of the proposition.

First. It denies to any person who employs as many as six people the right to select his own employees.

That is enough to make one vote against the bill.

Second. It prevents him from discharging an employee if he is not satisfactory.

Who would want to have a man working for him who was not satisfactory? Some of those who are for the bill should take this home to themselves and see if they would like to be conducting a business and be required to employ someone who was entirely unsatisfactory.

Mr. TAYLOR. Mr. President, will the Senator yield?

Mr. BILBO. I yield.

Mr. TAYLOR. What is the use taking the bill home and studying it if we are not to be permitted to vote upon it?

Mr. BILBO. It would be a fine education for a man like the Senator from Idaho.

Third. It sets up a commission of five in Washington to have charge of the employers of the Nation, individuals and corporations.

Think of a commission having control even over the President of the United

States—this commission which my friend from New Mexico wants to create.

Fourth. It provides this Commission with an army of investigators to send over the Nation to work up charges against employers upon any complaints.

In other words, the bill provides that this Commission can appoint any number of employees or agents. It can appoint a thousand if it desires. I was reading in one of the Negro newspapers, the Afro-American, that a Negro, referring to what he wanted, said, "I pray to the Lord that we can get \$10,000,000 appropriated for the support of the FEPC." There is no limit to the job.

Fifth. It gives these investigators the right to enter a person's place of business and examine his books and papers without process from any court, in an effort to get evidence upon which to bring charges against him.

Are we to let a little peckerwood come around, without any showing of any affidavit or any proof of a writ, and go into one's private office and his private books, and examine those books? It will lead to a riot if that is undertaken.

Sixth. It forces a man to give evidence against himself depriving him of his constitutional rights.

That is true.

Seventh. It provides for an examiner to hear evidence and send the record off to Washington where a decision can be rendered against him in absentia.

No chance to be heard is to be given; no chance to answer, no chance to plead. They are going to convict on the cold record gotten up by some little peckerwood representing the FEPC, he being judge, jury, and witness most of the time.

Eighth. It denies him any right of appeal from findings of fact against him.

Ninth. It denies him a trial of his case by a jury or before a judge of any court.

I am sure my good friend the Senator from Idaho is not in favor of any law passed by Congress, or by his State legislature, which would deny a citizen of this great, free Republic the right of trial by jury, where the penalty can be \$5,000 fine or a year in jail. Of course the Senator is not in favor of such a law. He would not swallow anything like that.

Tenth. The Commission can order the employer to hire anybody that it names and make him pay back wages for refusing to hire them in the first place, and it can assess fines and penalties against the employer and have him placed in jail if he refuses to obey the orders.

Eleventh. It can have the employer brought into the United States circuit court, hundreds of miles from his home or place of business, to have its orders put into effect, and when he gets there, under this bill, the court cannot overrule the Commission's findings if there is any evidence to support them, however flimsy the court may find the evidence to be.

Twelfth. It provides a fine of \$5,000 and 1 year in prison for any person who hinders or interferes with the Commission or any of its agencies in any of its works.

In other words, the Commission could appoint a thousand employees who would not have to take any civil-service examination, who would not have to submit to any kind of examination. The Commission could make up a list of a

thousand persons, who could be Negroes, whites, brown, or yellow, or any other color. The Commission can send agents all over the country, and if anyone makes a complaint anywhere, whether it be right or righteous, provided the one who makes the complaint belongs to one of the minority groups, the employer will be charged with an offense. There is no protection whatever in this bill for the white people. I mean the white gentile people of the South. Even the report written by the chairman of the Senate committee does not mention that at all. This bill is only for the benefit of the minority groups.

Senators have heard of the case in New York of a manufacturer whose orders for the products of his factory were cut. He had a hundred women working for him, and was obliged to let some of them go. He could not carry them all. He employed so many Negro women, so many Jewish women, and so many white gentile women. What did he do? He fired the white gentile women and kept the Negro women and the Jewish women. Why? When he was questioned as to why he did it he said, "I did it because I did not want to be dragged into the FEPC court. I did not want to be subjected to a charge by the FEPC. I did not want to go to jail." So the gentile whites lost their jobs.

If this bill shall ever reach the point where it would be subject to amendment, I shall propose one amendment. If there is to be an FEPC, if the attempt is made to pass a law to legislate religion and Christianity and sentiments and fair dealings into individuals, I shall propose an amendment which will provide that in any business where six or more individuals are employed the pro rata number of employees shall be on a fair and just and equitable basis, and that the proportion of a minority employed shall be representative of the number of such minority compared with the entire population of the United States. In other words, if there are 13,800,000 Negroes in this country that would mean that of every nine persons employed there would be one Negro. If there were 18 persons employed there could not be more than two Negroes employed in such place of business. That would be fair. That would be just to the white people of this country. That would be equitable. No Negro could complain about that. If there were 900 persons employed in an establishment the proportion of Negroes to whites would be as 100 to 800. That is 100 Negroes to 800 whites. Would not that be fair? Would not that be just?

Since mention has been made of another minority, let us consider the Jewish race—Jewish Americans. The Jews object to me speaking of the Jewish nationality. They say I am wrong in doing so. If I am, I withdraw it, and simply say the Jewish people. To 28 Americans who belong to some other race or nationality there would be employed one Jew. So an establishment that employs more than six individuals would not employ more than 1 Jew to 28 others employed by it. How do Senators think my friends, the Jews of New York, where

there are so many wholesale houses and department stores, would like to have such a law passed, under which they would not be permitted more than one Jewish employee to 28 others employed in a place of business? That would be fair, that would be just, that would be righteous, if we are to attempt to legislate righteous dealings and rules into the economic life of the country. So I shall insist upon that amendment if the question ever comes to that point.

Mr. TAYLOR. Does the Senator think it ever will?

Mr. BILBO. Frankly I do not. But I was thinking that in about 45 or 50 days we will be willing to send the bill back to the committee in order to perfect it. Senators would make no mistake if they were to send the bill back to the committee, because I know the personnel of the committee. Senators could have it reported back to the Senate any day they wanted it reported. A bill which contains so many mistakes as this bill contains cannot very well be amended on the floor. So send it back to the committee and let us have a further hearing. Let us hear the other side before the committee this time. Let us hear both sides. Then perfect the bill and it can be brought back to the Senate any day Senators want to bring it back, because I know the personnel of the committee, as I stated, and I know the committee will send it back anytime Senators want it sent back.

We might understand the bill better if we would look at some of its legal aspects. I do not believe the bill is constitutional. I do not believe the bill will stand up in any fair court in the world, and I will tell the Senate why. I have been looking up some decisions of the courts on this proposition. I wish to call the attention of the Senate to one of them. There is a noted case which will be found in all the lawbooks, known as the Atchison, Topeka & Santa Fe Railway Co. against Brown. I read from that case:

The Kansas statute of 1897, chapter 144, requiring an employer of labor, upon the request of a discharged employee, to furnish in writing the true cause or reason for discharge, is repugnant to section II of the bill of rights of the State guaranteeing freedom of speech, and is invalid. The duty imposed upon employers by such statute is not a police regulation, and is an interference with the personal liberty guaranteed to every citizen by both the State and Federal Constitutions.

What does that mean? I will read the opinion of the court in that case. Here was a man by the name of Brown who was dismissed by the Atchison, Topeka & Santa Fe Railway. He went to the railroad superintendent and demanded that the railroad give him a letter or statement saying why he was discharged. The superintendent refused to do so. The man went into court, and this is what the Supreme Court of Kansas said. This opinion has been approved by practically all the courts of the country.

It may be said that if the law is valid—

Speaking of the Kansas law—

the company need have no concern as to the effect of its compliance with the letter of the



law. This leads us to the principal contention of the company—that the law is unconstitutional: that it is repugnant to section II of the bill of rights of the State of Kansas, which provides:

"All persons may freely speak, write, or publish their sentiments on all subjects, being responsible for the abuse of such right."

It is also contended that the law is repugnant to the fourteenth amendment to the Constitution of the United States, which provides:

Listen to this, Senators:

"No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law."

It has been conceded in argument that in the absence of a contract of employment for a definite term the master may discharge the servant for any reason or for no reason, and that the servant may quit his employment for any reason or for no reason. Such action on the part of the employer or the employee, where no obligation is violated, is an essential element of liberty in action. Can one, then, be compelled to give a reason or cause for an action for which he may have no specific reason or cause, except, perhaps, a mere whim or prejudice?

Get this, Senators:

Again, is not the freedom to remain silent—neither to write nor publish anything on a certain subject—involved as an element in the guaranty that "all persons may freely speak, write, or publish their sentiments on all subjects, being responsible for the abuse of such right?" It would seem that the liberty to remain silent is correlative with the freedom to speak. If one must speak, he cannot be said freely to speak.

Listen to this, Senators:

When the relation of employer and employees has ceased by discharge or by quitting the employment, if the employee has been efficient and trustworthy the employer may be under a moral obligation to benefit the employee by giving him a statement to that effect. On the other hand, if the employee has been inefficient or untrustworthy, it may be the employer's moral duty to furnish a prospective employer, upon request or perhaps without request, a statement of these facts. But the former employer is under no legal obligation so to do, either to his employee or to the prospective employer. The public has no interest in the matter, and in neither case can such a duty be imposed as a police regulation, and the attempt by statute to impose the furnishing of such a statement is an interference with personal liberty.

The mere matter of time requisite to comply with the requirement of the statute is perhaps a matter of trifling consideration, yet if the State may compel the sacrifice of a few minutes of the time of one person for another, may it not compel the sacrifice of a few days of time? Where and upon what principle shall the limit be placed? Again, if the employer can be compelled to state the true cause of discharge, it implies that he should state the facts as he understands them, and the facts may be in dispute and may be regarded by the employee as libelous. Litigation may result therefrom which might be a great burden to the employer, although successfully defended. We think the State can impose no such possible burden. As in many other relations in life, the employer may be silent and be safe, or, at his option, he may be courteous and fulfill his moral obligations. It is a personal privilege.

The sum and substance of that holding, which has been approved by many

other courts, is that one working for a corporation, an individual, a firm, or partnership can quit his job any time he wishes. That is his right. He can break off the contractual relation of employer and employee, and the employer has no recourse whatsoever. On the other hand, the courts have held that the employer may discharge an employee at any time, for any reason or any cause, and the employee has no recourse against him. The employer does not have to tell the employee why he is being discharged. The employee violates the constitutional rights of the employer when he asks him to give him a statement as to why he was discharged. If that be true, when we start with a fool piece of legislation such as the FEPC bill, we cannot travel at all.

Mr. STEWART. Mr. President, will the Senator yield for a question?

Mr. BILBO. I yield for a question.

Mr. STEWART. Does the Senator construe the bill to apply to his own office force, as a Senator from Mississippi?

Mr. BILBO. Certainly.

Mr. STEWART. Does it apply to all parties and people?

Mr. BILBO. It applies to people in all walks of life.

Mr. STEWART. It applies to anyone employing more than six persons?

Mr. BILBO. Yes.

Mr. STEWART. Does it apply to a farmer?

Mr. BILBO. It does if he employs more than six persons.

The Constitution of the United States, which is the fundamental law upon which this great Nation has been built, and upon which we have thrived and become the greatest Nation on earth, protects a man's rights and liberties as a free American in a free country. When I hire someone, there is established a contractual relationship. The employee may break it off at any time he wishes, and no harm is done. I can break it off, and no harm is done. The employee may not say anything further, and I may not say anything further. That is the end of it. Yet under the FEPC both the employer and the employee are robbed of their constitutional rights, guaranteed by the fourteenth amendment to the Constitution.

Mr. STEWART. Mr. President, will the Senator yield for a further question?

Mr. BILBO. I yield.

Mr. STEWART. Who determines the question of who is an employer, and who is an employee, in this sort of case? Suppose that question should arise.

Mr. BILBO. One of these little peckerwoods.

Mr. STEWART. One of the members of the Commission?

Mr. BILBO. No; one of the little peckerwoods going about the country. Most of them will be colored boys.

Mr. STEWART. Is there any right of appeal from such a decision to any tribunal?

Mr. BILBO. It is said that the case may be taken to court; but what would be taken to court? Nothing but the record which some little peckerwood has written. He has been the judge, jury, witness, examiner, and everything else.

He has the case fixed just as he wants it. The court cannot reach any other decision than that which he has written.

Mr. STEWART. The case in court, then, would be tried on the record which the little peckerwood would present?

Mr. BILBO. Yes; a kangaroo court.

Mr. President, I have referred to a decision by the Supreme Court of the State of Kansas, laying down the doctrine which I have described. In Massachusetts there is a peculiar rule under which the legislature, before enacting a law, has the right to appeal to the supreme court for an opinion. So the legislature asked the Supreme Court of Massachusetts for an opinion on a proposal of this kind. The Supreme Court of Massachusetts said:

In the absence of a contract, conspiracy, or other unlawful act, the right of the individual employee to leave the service of a railroad without cause, or for any cause, is absolute. The railroad has the correlative right under like circumstances to discharge an employee for any cause or without cause. It is an unreasonable interference with this liberty of contract to require a statement by the employer of the motive for his action in desiring to discharge an employee, as this statute in substance does, and to require him also as a prerequisite to the exercise of his right, to enable the employee to make a statement in the presence of someone else—a thing which may be beyond the power of the employer. His freedom of contract would be impaired to an unwarrantable degree by the enactment of the proposed statute. The power of the legislature to require a hearing in connection with the discharge of one employed under the civil-service law rests on the authority of the commonwealth to direct the conduct of its government and that of its political subdivisions.

So the legislature had no right to enact such a law, and the court proceeded so to state.

I have before me another case, the case of St. Louis Southwestern Railway Co. of Texas versus Thomas A. Griffin. In that case the Texas Supreme Court said:

The citizen has the liberty of contract as a natural right which is beyond the power of the Government to take from him.

Is not that a wonderful right? One may go anywhere in this great free country of ours and make a contract with a corporation, partnership, or firm, get a job, and go to work to support his family—unless, of course, he were to seek a job in a closed shop. He could not get in.

The liberty to make contracts includes the corresponding right to refuse to accept a contract. An employee entering the service of a railway company for an indefinite time has the right to quit the service at any time without cause or notice to his employer. The latter has the corresponding right to discharge him at any time without cause or notice. The rights of the parties are mutual.

It works both ways.

Liberty of speech:

The liberty of speech secured by article I, section 8, of the Constitution, includes the corresponding right to be silent.

Mr. President, this is a free country. A citizen of this country can have freedom of speech so long as he does not invade the rights of his fellows or do them harm or injustice. But a citizen of the United States also has the right to be

silent. In this case I propose to exercise my liberty of speech.

I read further:

A statute which compels a corporation, under penalty of a heavy forfeiture, to engage in correspondence with its employees as to the reasons for their discharge, is in violation of its constitutional liberty to decline to write on that subject. *Atchison, T. & S. F. Ry. Co. v. Brown* (80 Kan. 312), and *Wallace v. Georgia C. & N. Ry. Co.* (94 Ga., 732), followed.

Mr. President, I have just read from the Texas reports of cases adjudicated in the supreme court.

Nowhere have I been able to find where this doctrine of freedom has been disturbed, abrogated, or done away with. If Senators will read carefully—and I wish they would take the time to do so—the speeches of the Senator from North Carolina [Mr. BAILEY], the Senator from Arkansas [Mr. McCLELLAN], the Senator from South Carolina [Mr. JOHNSTON], the Senator from Georgia [Mr. RUSSELL], the Senator from North Carolina [Mr. HOEY], the Senator from Alabama [Mr. HILL], the senior Senator from Georgia [Mr. GEORGE], and some of the other Members of the Senate, they will find that the Senators I have just named have been fair with the Senate and with the public. They have not tried to resort to any chicanery or any sophistry, to mislead the public; but they have dealt with this bill as a lawyer or as a judge would deal with it. They have tried to show the Senate and the American people that this bill is a monstrosity and that it violates every conception of constitutional rights and all the rules which have been established under our system of government. Just think of the idea of giving the little commission which would be created by this bill the power to go to the White House and tell the President, "You have to do so and so and so and so and so and so." Yet the bill contains such a provision. Apparently, my good friend the Senator from New Mexico [Mr. CHAVEZ] wishes to have someone take hold of President Truman and handle him rather roughly. I can scarcely conceive that the Senator would wish to authorize anyone to do that, but evidently that is what the Senator favors.

Mr. President, before I take up the question of the history of filibusters, I wish to pay my respects to some of the people on the outside and some of the organizations on the outside which are sponsoring this bill. By doing so, I believe I can show that the bill is an unholy thing and that its ultimate purpose is unrighteous and not good for the country.

First let me say, Mr. President, that the Senate press gallery has been flooded with telegrams and press releases. I wish to read one of them to the Senate. The release I shall now read embodies a petition which was addressed to the Senate of the United States by the Southern Conference for Human Welfare. In the petition they state the following:

Majority rule is fundamental to democracy and the constitutional process.

They are talking about the will of the majority of the people, as expressed in

elections out in the field, not in a body such as this; because under the rules of the Senate and under the guaranties of the Constitution, the rights of the Members of this body are such as to enable them to be in a position to protect the people of the individual States—the governmental entities which we represent, and which have sovereign power—from the infliction of abuses by any majority which may be gathered together on the floor of the Senate as a result of hysteria which may sweep over the country. Mr. President, in 10 or 15 years or even less time, people who look back at the record for the year 1946 will find that a lot of Communists—I mean that, and I repeat it—a lot of Communists and a lot of ignorant persons were misled and brought to Washington in great delegations of 100, 200, 400, 500, 800, and they held mass meetings and picketed all over the Capital City. Some of them held meetings in the Asbury Methodist Church. Mr. President, do you know that church is the political headquarters? If you happen to read the story a few years from now, it will make your blood run cold to think just how far such groups went and how near the Senate was to going astray and awry—so much so that it almost departed from following the long-established concepts of constitutional government in the United States, which has been doing business for 150 years.

Mr. President, today many of our people are under a spell; they are being influenced by hysteria, and are being misled by the groups which come to Washington to intimidate and bulldoze and bluff Senators and attempt to make them vote this way or that way on such legislation.

I read further from the petition:

A filibuster obstructs majority rule and gives supreme power to a small minority.

Mr. President, that is not true. If this cause is righteous, if this bill is right, time will prove it and the right cause will finally and eventually be vindicated and will come forward in all its beauty and glory. But in 5 or 10 years you will be ashamed that such a thing was even proposed to the United States Senate, for it is a horrible proposal.

I read further from the petition:

It is a disgraceful and intolerable situation when the highest legislative body of the land is placed at the mercy of the vocal chords of one man.

Mr. TAYLOR. Mr. President, let me ask the Senator whom they were talking about then.

Mr. BILBO. I do not know. It must have been the Senator from Idaho, for he has been rather loud when he has taken the floor. [Laughter.]

It is a disgraceful and intolerable situation—

Mr. President, I am reading this petition at this time because in a moment I propose to show that this idea of extended discussion or, if you please to call it such, filibustering is an institution which has been in existence in the Senate of the United States for 150 years, and time has proved that the cause of every successful filibuster was right and that

those who led the filibuster were right. Those who led the filibusters in the past were not any peewees or small fry, for the filibusters were led by men like Senator Borah of Idaho, the elder Senator La Follette of Wisconsin, Senator Fletcher of Florida, Senator McKellar, and other great men. The filibusters which have occurred in the past have been led by such great men.

Mr. TAYLOR. In my estimation, time has proved that Senator Borah was wrong when he opposed the League of Nations.

Mr. BILBO. Well, there is a difference of opinion among people, largely because of differences in their mental processes. [Laughter.]

So, Mr. President, here is this petition which calls this situation disgraceful and intolerable. Mr. President, there is nothing disgraceful about it.

A small group of women at Lake Junaluska, N. C., who had formed some kind of society, adopted a resolution saying that BILBO was un-Christian because of his views. Because I spoke 2 or 3 days last summer against this monstrosity, I have been denounced, smeared, misrepresented, lied about, criticized, and abused from one end of the country to the other, and various and sundry small organizations which have held mass meetings have adopted resolutions asking that I be impeached by the Senate of the United States. They did not have sense enough to know that a Senator cannot be impeached. They did not know what they were asking to have done. They were so damnably ignorant that they did not know what they were requesting. They did not even know what it was all about. A Senator cannot be impeached. He can be expelled, but he cannot be impeached. But they did not know that, and they did not know what they were asking for.

As a matter of fact, Mr. President, since the 14th of October, my home in Washington has been picketed by some of the members of this outfit from New York, Detroit, and Washington. There is a very strong Communist Party in the District of Columbia and it is clamoring for the right to vote. That is the reason why they are not going to get it—because of the kind of folks they have here in Washington. There are enough of them here to cause trouble. It is all a Member of the Congress can do to stay here now; but if this city is turned over to this bunch who are in Washington, I'll be damned if a Member of the Congress will be able to stay in Washington. [Laughter.]

I read further from the petition telegram:

The time to permit filibusters in America has past.

Mr. President, have you any idea who is talking? I shall read that part of the petition again:

The time to permit filibusters in America is past. Give one-tenth of the body the power to muzzle nine-tenths, and democracy as a functioning institution in the Senate has been destroyed.

Mr. President, can you imagine who said that? Can you imagine where that came from?



Mr. TAYLOR. No; I do not know who said it, but if Joe Stalin said it, I would still agree with him.

Mr. BILBO. Well, it is worse than that. CLAUDE PEPPER of Florida said it. [Laughter.]

I read further:

We southern citizens, proud of the part played by southerners in establishing these United States of America—

Mr. President, none of the gang that is behind this movement had anything to do with establishing the United States, and neither did any one of their type. It took better men than they to establish this Government and to lay its foundations.

I read further—

and in drafting its Constitution, declare that Senators engaging in filibuster flout not only the will of the Senate, but the best traditions of the South.

Mr. President, a bigger lie than that has never been published in all the world.

I read further:

We respectfully urge the Senate of the United States, after giving adequate opportunity for full discussion, to halt any filibuster by invoking cloture, to maintain majority rule, and preserve democracy.

They are opposed to any filibuster; they do not make any exceptions at all. Even when the Senator from Kentucky [Mr. BARKLEY] was making a little speech here the other day, trying to invoke cloture on us, he edged around. While he said that filibustering was indefensible, he edged around a little and left a gap by which he could get out, a little later on, if something really bad came up—something on which he really wished to defeat cloture.

This petition was sent to the newspaper gallery, and it has a list of names of people from Georgia, Florida, Arkansas, Louisiana, Mississippi, Kentucky, South Carolina, Texas, Oklahoma, Virginia, and Alabama. I have been checking the list. I do not know much about the citizens of other States, but I know something about the people in my State and I know something about the Mississippi people who signed the petition.

Mr. President, in the petition the first signature of a person from Mississippi, you will be surprised to know, is that of the Reverend Joseph Smith, of the Centenary Methodist Church, McComb, Miss. Do you know who he is?

Mr. TAYLOR. No; I would not know.

Mr. BILBO. Well, we cannot expect anything better from him, because he is a brother of Lillian Smith, the woman who wrote "Strange Fruit." That is enough said. [Laughter.] I do not have to say any more about him, other than to say that he is a brother of Lillian.

The petition is also signed by Rev. C. C. Clark, of Natchez, Miss., another good Methodist gone wrong. [Laughter.]

It also is signed by the Reverend Stewart Smith. He is a son of Joseph Smith; in other words, he is a nephew of Lillian Smith. That is enough for him.

It also is signed by John Long, president of the Southern Christian Institute, Edwards, Miss. That is one of the Negro schools established by northern capital. They generally have a white man as

president, and he is entirely supported by northern contributions. He lives unto himself, and no one down there has anything to do with him, even socially. He is ostracized.

Another signature is that of Arenia C. Mallory, of Saints Industrial School, Lexington, Miss. That is another one of them.

The next signature is that of Rev. G. A. Riley, of Jackson, Miss. He is a Baptist.

Mr. TAYLOR. The name sounds like that of an Irishman, to me.

Mr. BILBO. No; he is out of a job. [Laughter.]

Another signature is that of Mrs. R. P. Neblett, counselor, Negro school, Holly Springs, North Mississippi Conference on Women's Work, Shelby, Miss. I am sorry I do not know anything about the lady.

Another signature is that of T. D. Davis, of Jackson, Miss. I have nothing to say about this boy. He is more to be pitied than to be blamed.

Another name is that of Mrs. W. H. Ratliff. She claims to be a member of the Southeastern Jurisdictional Council, Methodist Church, Sherard, Miss. H. G. Williamson, Frank Argelander, and Walter L. Russell, are members of the faculty of the Wood Junior College, Mathiston, Miss. That institution is another one of the schools which were founded and supported exclusively by northern contributions.

Mr. President, after approximately 4 months of scouring Mississippi, the only persons who could be induced to sign the petition were those whose names I have read.

I have been keeping abreast of this matter. Several months ago James A. Dombrowski mailed a letter to everyone whom he thought he could induce to sign the fool petition which he was trying to have signed for the purpose of sending it here at this crucial moment. I will read the letter which he sent at the time he asked the people to sign the petition. The letter said:

The threat of filibuster is once more being sounded by certain southern Senators in their efforts to obstruct majority rule on the poll-tax question. Regardless of the merit of that issue, we believe you will agree with us that the tactic of filibuster is indefensible in a democracy.

That statement is funny. I thought we had had a democratic form of government in this country for the past 150 years. I thought we had a democracy. However, it would seem that there are some people in this country who have just found out that filibustering is not, as they think, a part of the democratic process.

I continue reading from the letter:

The enclosed statement condemning the filibuster will be useful in combating this threat, and in encouraging other Senators in their efforts to prevent gag rule in the Senate. A determined majority of Senators can stop a filibuster; it is our responsibility to insist that the majority exercise its power.

The poll-tax question may come up any day in the Senate; Senators BILBO and EASTLAND are ready to lead the assault on the democratic process.

The writer of the letter got one statement correct.

Are you ready to send us your name immediately to add to the statement, and circulate the enclosed petition among your

friends and in your organization? We will be very happy to send you additional petitions.

Sincerely yours,

JAMES A. DOMBROWSKI,  
Executive Secretary of the Southern  
Conference for Human Welfare,  
Nashville, Tenn.

The headquarters of this organization is in the Presbyterian Building in Nashville.

Mr. President, the letter which I have read indicates the way in which that organization obtained signatures to the telegrams which flooded the offices of Senators a few nights ago.

As soon as I received a copy of the telegram I proceeded to write Brother Dombrowski. I have a copy of the letter before me, and I shall read it into the RECORD:

UNITED STATES SENATE,  
November 5, 1945.

JAMES A. DOMBROWSKI,  
Executive Secretary, Southern Conference for Human Welfare, 506-  
507 Presbyterian Building, Nashville 3, Tenn.

DEAR DOMBROWSKI:

[Laughter.]

I have just received through a friend of mine in Jackson, Miss., two sheets that your un-American, Negro social equality, communist, mongrel outfit is sending out throughout the country in your mad desire to build up a factual case against the right and prerogative of a United States Senator or Senators to filibuster any objectionable legislation that is proposed in this great body.

Of course, your immediate aim is to secure the passage of the undemocratic, un-American anti-poll-tax bill, which is now pending on the calendar of the United States Senate by defeating the right and power of Senators who object by filibuster. In other words, you are trying to bulldoze and intimidate Members of the Senate who are conscientiously opposed to this un-American piece of legislation.

Filibustering in the Senate has been a right and prerogative since the adoption of the Constitution of the United States, and it has been resorted to by Senators of great renown in the past to defeat vicious legislation, and it can be truthfully said that there has never been a successful filibuster throughout the 150 years of the life of the Republic but what time has shown that it was wise and best for the people and the Nation.

That statement is true.

Mr. TAYLOR. I do not believe that the same statement can be made about the League of Nations filibuster.

Mr. BILBO. Mr. President, the Senator is wrong.

My letter continues:

Beginning last December I personally stopped the passage of the so-called land-grant railroad bill by a threatened filibuster.

I had threatened a 30-day filibuster. It will be recalled that last year, when an attempt was made to pass the land-grant railroad bill, I threatened to filibuster.

I continue reading from the letter:

By continuing this fight this session I was able to secure an amendment to this piece of legislation fixing the date of its effectiveness on October 1, 1946, and through this period of 22 months that I kept this bill from becoming a law I was able to place in the Treasury of the United States for the benefit of the taxpayers of this Republic about one-half billion dollars, and then you tell me that filibustering is not a wise thing and a righteous thing and besides since I have been in the Senate I have personally assisted

in filibustering to death on different occasions the so-called antilynching bill as well as the anti-poll-tax bill.

I threatened to filibuster for 30 days in order to prevent the passage of the land-grant railroad bill. I filibustered for 2 days and saved the taxpayers of the Nation approximately \$500,000,000. In the face of that fact can any Senator tell me that filibustering is not good stuff? [Laughter.]

I continue reading from my letter to Brother Dombrowski:

I wish there was some filibuster that I could inaugurate that would immediately and finally and forever dissolve and destroy the so-called Southern Conference for Human Welfare, a mongrel organization that is only a communistic front—

That is pretty serious—

that has no other purpose on earth except to bring about social equality between the white and the black races, which would lead to miscegenation, mongrelization, and intermarriage of the races and thereby destroy the white race and the black race and our Caucasian civilization which the white man of this country has made possible for the glory, happiness, success and prosperity of the American people as a whole.

You may be able for a little time to fool a few decent white people with your insidious scheme that is behind the Southern Conference for Human Welfare but not for long. If I were called upon to name the No. 1 enemy of the South today it would be the Southern Conference for Human Welfare.

This same Dombrowski took the letter which I have read in full, extracted the best parts of the letter, and published the remaining portions in his publication entitled "The Southern Patriot." It reads as follows:

This is the BILBO who praised German and Italian fascism before the war.

He was a liar.

This is the BILBO who preaches hatred against minority groups in America.

In that statement he was another liar. I had not done such a thing, and never have.

This is the BILBO who missed impeachment by one vote in the Mississippi State Senate on charges of taking a bribe.

In that statement he was a liar again. I was tried before the State senate because I had exposed a crooked deal in the Mississippi caucus of 1910 which lasted 57 days and nights. I exposed that crooked deal and the majority—there is your majority again, Mr. President—the majority of the State senate belonged to the crowd which had been exposed, and they wanted to expel me. They lacked one vote of being able to do so. It would not have made any difference even though they had been able to expel me. I would have been back within 30 days. A little thing like that would not disturb me because I was in the right. Dombrowski continues as follows:

This is the BILBO who filibusters against a bill to let the people vote in his own State.

Of course, in that statement, he was referring to the poll tax.

Now, Mr. President, let us see what is this Southern Conference for Human Welfare. The Southern Conference for Human Welfare has its headquarters in room 506-507 Presbyterian Building,

Nashville, Tenn. Its official medium is The Southern Patriot, published at the same address: Its other local headquarters' addresses are: 525 Guilford Bank Building, Greensboro, N. C.—Miss Mary Price; 921 Massey Building, Birmingham, Ala.—Mrs. Pauline Dobbs; Apopka, Fla.—Mr. Virgil Connor; and 525 Chamber of Commerce Building, Atlanta, Ga.—Miss Margaret Fisher.

That is the organization. The latest official letterhead, of June of this year, of the S. C. H. W.—Southern Conference for Human Welfare—shows the following as officers—listen to the list:

Honorary presidents:

Judge Louise Charlton, Birmingham, Ala.

Frank P. Graham, president of the University of North Carolina. I shall get to him directly.

President Clark Foreman, the black sheep of the Clark-Howell family. They are ashamed of him.

Alva W. Taylor, secretary-treasurer.

Executive secretary, James A. Dombrowski.

Vice presidents:

Paul R. Christopher.

Roscoe Dunjee. He is the Negro editor of the Black Dispatch, of Oklahoma City.

Virginia Foster Durr, sister of Judge Hugo Black.

George Googe.

Paul B. Kern.

William Mitch.

Hollis V. Reed.

Executive board:

W. W. Alexander. He is the leader of the Negro social equality campaign of the South, and has been for years. He believes in social equality of the Negro, he believes in miscegenation, he believes in intermarriage. He is preaching it.

Mary McLeod Bethune. She is that good old Negro girl from Florida whom Aubrey Williams brought to Washington and wrecked politically, when Mrs. Roosevelt took charge of her.

Charlotte Hawkins Brown.

Louis Burnham.

Rufus E. Clement.

William E. Cole.

Tarleton Collier.

John P. Davis.

Helen Fuller.

F. Clyde Helms.

Joseph B. Hunter.

Charles S. Johnson.

Roy R. Lawrence.

Lucy R. Mason.

Mortimer May.

A. T. Mollegen.

George S. Mitchell.

M. C. Plunk.

Arthur F. Raper.

Ira De A. Reid.

Lillian E. Smith, the author of "Strange Fruit."

Harry S. Strozier.

John B. Thompson.

Jimmie Woodward.

A letterhead dated February 28, 1945, compared with the June letterhead shows that four individuals, for unannounced reasons, dropped from the executive board, these being Gerald Harris, James J. Morrison, F. D. Patterson, and Edward Yoemans, Jr. Added to the June letterhead as executive board mem-

bers are the names of George S. Mitchell and Harry S. Strozier.

This organization has been so skillfully organized and managed that some nice, decent, right-thinking, patriotic American men and women have been dragged into the net, and what I am fixing to do is to go to the bottom of it and show what it is.

Among the members of the National Citizens Political Action Committee, of which Elmer Benson, ex-Governor of Minnesota, is now the chairman, succeeding Sidney Hillman, the following have been affiliated with the Southern Conference for Human Welfare: Will W. Alexander, Mary McLeod Bethune, James Dombrowski, Roscoe Dunjee, Mrs. Clifford Durr, Clark Foreman, William H. Hastie, Jennings Perry, Lucy Randolph Mason, Ira De A. Reid, Paul Robeson, Lillian Smith, and Aubrey Williams.

Hastie is the one who has been appointed Governor of the Virgin Islands, whose nomination the Senate is to be called upon to confirm.

Mr. TAYLOR. That sounds like a pretty good list to me.

Mr. BILBO. I suspect it does sound that way to the Senator.

Behind a facade of loosely organized southern liberals the Communist Party has initiated and manipulated the Southern Conference for Human Welfare in accordance with its special partisan purposes. This Communist front is what I am talking about. That is what it is, that is all it is.

In reporting to its constituents, the Southern Conference for Human Welfare has been extraordinarily vague as to the exact origin of the organization.

It was born in the hearts and minds of a large group of devoted southerners known as the Southern Policy Committee, declared a conference report.

Nobody south of Mason and Dixon's line dreamed up the Southern Conference for Human Welfare. It is not a southern idea or southern product at all.

No names were given. This nondescript group met several times early in 1938 in Birmingham, Ala. Several other persons were asked to attend a meeting on July 21, and the idea of a southern conference was presented to them. The report did not say who presented the idea or who was present. The persons present voted themselves in as sponsors and members of the arrangements committee and, subsequently, a permanent organization meeting was called at Birmingham on September 6, 1938—report of the proceedings of the Southern Conference for Human Welfare, November 22, 23, 1938, pages 3 and 4. Its claim to represent any significant proportion of southern opinion was therefore entirely self-assumed.

While the conference has succeeded in confusing certain elements by its pretensions, representative southerners harbor no illusions as to its real character. The Democratic Women's Club of Alabama, an organization of long standing in the South, publicly demanded the disclosure of the names of the initiators of the conference, of those who provided the necessary finances, and of those who appointed the delegates. The Democratic Women's Club charged



that the conference was of questionable origin and purpose—Birmingham News, November 25, 1938.

Question marks have been all over this outfit ever since it started, because it had a peculiar beginning. I shall get to that.

In their own inner circles, the Communists have not been nearly so reticent in claiming responsibility for the Southern Conference for Human Welfare. These folks who have been on the front in Nashville and Atlanta, of course, deny that they are of Communist origin; that the Communists organized them and are leading them, directing them; but in the inner circles of the Communist Party the Communists brag about it. I repeat, in their own inner circles, the Communists have not been nearly so reticent in claiming responsibility for the Southern Conference for Human Welfare. In his article in the Communist of January 1939—official monthly organ of the Communist Party—Robert Fowler Hall, secretary of the Communist Party of Alabama, and speaker at the April 1940 session of the Southern Conference for Human Welfare, revealed some of the moves behind the scenes. Referring to an earlier speech of Earl Browder, general secretary at that time of the Communist Party, Hall wrote:

Comrade Browder's remark thus anticipated the Southern Conference for Human Welfare, held in Birmingham, November 20-23. Let us estimate the Southern Conference in the light of Comrade Browder's remarks at the tenth convention of the Communist Party. In this sense, we can say that the Southern Conference was a brilliant confirmation of the line of the democratic front advanced by Comrade Browder at the tenth convention. Our comrades naturally watched the conference preparations closely, and helped wherever possible. Southern State organizations of the Communist Party were represented at the conference by five southern Communist delegates. In strengthening this movement, our party has before it a great task. On this basis, our party can and must proceed to recruit from the progressive ranks many hundreds of members (pp. 57, 60, 61, and 65).

That is the way the Conference for Human Welfare—a Communist outfit—has the audacity to send telegrams to Democratic Senators from the South and tell them what to do at the same time denouncing other Senators from the South.

When I fought the FEPC last summer I was denounced from one end of the country to the other, and this organized smear of the Communist newspapers started all over the country. That is one reason why I have been quiet for the last 2 weeks. We have been discussing the FEPC bill for 2 weeks, and this is the first time I have said anything about it. I wanted the Negro and the Communist newspapers and other folks in the country to know that there are 22 other Senators from the South who believe as I do about this proposal and who have the same desire. I have taken the cussing, and that is all right; I can take it. But I want them to know that I am not by myself. Now they have to get up 22 picketing brigades, and picket 22 other Senators because of their opposition and their sentiments and their convictions about FEPC and kindred subjects.

The Communists were using the conference as a specific application of the so-called popular front policy in the South. This line had been adopted by the Communist International at its Seventh Congress in Moscow in 1935, and was being applied by the Communist parties throughout the world prior to the signing of the Stalin-Hitler pact. The liberals drawn into the conference were merely the most convenient guinea pigs. It is surprising how some people get over into the Communist movement.

While the Communist Party, as such, boasted of few delegates, it must be remembered that the bulk of the Communists came from front organizations under their control. This was ultimately proven by test votes on various controversial issues.

Communist Party writers made every effort to emphasize the significance of the Conference for Human Welfare. Robert F. Hall called it the representative of the new forces in the South working for the development of a powerful movement of the southern masses for peace, democratic rights, and security (Communist, August 1940, pp. 690-702). Thus the conference supplemented the activity of the American League for Peace and Democracy, the chief Communist front during this period.

Mr. President, it must be understood that during this period there were many organizations in the United States which were nothing in the world but Communist fronts. Here is the greatest one in the South.

James W. Ford, Communist candidate for Vice President, speaking of the Southern Conference for Human Welfare and the Southern Negro Youth Conference, declared with considerable pride that:

The Communists, through their pioneering work in the South, may justly claim to have laid the foundation for these great social movements (Communist, September 1938, p. 828).

In a radio address delivered on November 27, 1938, over Station WOL, Earl Browder, Communist Party general secretary, expressed the opinion that the Southern Conference for Human Welfare was one of the signs of the awakening of the American people. In a public hearing before the Special Committee on Un-American Activities he identified it as one of his party's "transmission belts."

This is the head of the Communist Party describing and stating what the conference is and what its purposes are. One might know it is a Communist outfit. It is a mongrel outfit. About one-third of its officers and leaders are Negroes who do not hesitate to say where they stand. A. Philip Randolph and all his group do not mind telling where they stand on this question.

Just the other day, Mr. President, a meeting was held in the caucus room of the House Office Building of those who came here to persuade the Congress to vote for the FEPC. I read from an article dated Washington, January 18:

Reconstruction days in the South drew high praise Thursday night at a Negro rally held here in support of the Chavez bill set-

ting up a permanent Fair Employment Practice Commission.

The praise came from Benjamin J. Davis—

Senators know who he is—

Negro Communist member of the New York City Council, and from Representative DE LACY, Democrat, of Washington.

Mr. TAYLOR. He is a good man.

Mr. BILBO. Yes; just like Davis, a wild radical.

Davis led the march on Washington Thursday of New York supporters of FEPC. The delegation of some 500, most of whom were in the gallery when Senator CHAVEZ made his surprise move Thursday calling up his FEPC bill, represented some 50 Communist front organizations.

See how they operate.

Both Davis and Representative DE LACY told the rally that when Negroes sat in the southern legislatures during reconstruction days better legislation had been passed than at any other time in American history.

The idea of a Communist Negro from New York and a Representative from the far West, DE LACY, insulting every white man and woman south of the Mason and Dixon line with the statement that the Negroes and carpetbaggers of reconstruction days, in charge of the South after the Civil War, passed better laws and made a better job of it than the white people have since or before.

Mr. TAYLOR. May I ask what newspaper that article appeared in?

Mr. BILBO. It appeared in the Memphis Commercial Appeal. The reporter was there. Do not worry about the facts.

Davis was especially violent in his criticism of President Truman, Senators EASTLAND and BILBO, and Representative RANKIN. He countered this with fulsome praise of the Soviet Union and three Members of Congress, Representatives DE LACY, MARCANTONIO, and ADAM POWELL, Harlem Negro preacher.

He has gone haywire now. He has gone Republican.

"President Truman is nothing but the tail of the Roosevelt dog," Davis told the crowd that filled the Asbury Methodist Church. "All we get out of Truman is talk, double talk and triple talk, but no action." He accused President Truman of stabbing FEPC in the back by pretending to favor it but failing to coerce the Capital Transit Co., of Washington, to hire Negro streetcar conductors.

That is the gang the proponents of the bill are running with.

Evidence before the Special Committee on Un-American Activities indicates that the central committee of the Communist Party was intimately concerned with the affairs of the conference from its very inception. William Weiner, treasurer of the Communist Party, testified that a subsidy of \$2,000 had been paid to the Communist Party of Alabama in 1938, when the Southern Conference for Human Welfare was founded; that this Southern Conference had been discussed with Robert F. Hall when he was in New York; and that it had also been discussed by the central committee of the Communist Party at the time the \$2,000 subsidy was authorized. Browder publicly admitted that the Communist Party had "suffered great hardships to maintain the growing southern movement."

He is going to have more trouble with that.

Not only do the Communists claim the conference as their own product, but they even disclose how they pulled the strings. Hall, apparently the chief moving spirit, pointed out that the main work of the conference was carried on through the sections or panels and that resolutions adopted in the panels were usually adopted by the conference as a whole (Communist, January 1939, p. 58).

Here is how this plan actually operated: A resolution on education was presented by Paul Crouch for the Communist Party of Alabama and unanimously adopted (Daily Worker, November 22, 1938, p. 6). Crouch was a member of the editorial staff of the Southern Worker, official organ of the Communist Party in the South. Associated with him on this board were Robert F. Hall and Ted Wellman. Crouch was convicted for treasonable activities within the armed forces of the United States in Hawaii on June 8, 1925. He subsequently made a pilgrimage to Moscow where he paraded in a Red army uniform (Daily Worker, May 1, 1928, p. 5).

All this is backed up by the record, Mr. President.

Joseph Gelders was active in the conference's committee on plans for a permanent organization. Representing the Southern Conference for Human Welfare, Gelders was also the secretary of the strategy committee in the campaign for the Geyer anti-poll-tax bill. He was formerly secretary of the National Committee for Defense of Political Prisoners, which was cited as subversive by Attorney General Biddle. Gelders personally accompanied Earl Browder on a visit to the Scottsboro boys (Daily Worker, September 15, 1936, p. 3). He raised his voice in protest against the arrest of Communists in Chattanooga (Daily Worker, April 6, 1938, p. 3). He was also leader of a lobby for the American Peace Mobilization which conducted a picket line about the White House and denounced President Roosevelt as a "warmonger" (Sunday Worker, September 8, 1940, p. 3).

John P. Davis, identified as a leading member of the Communist Party by testimony before the Special Committee on Un-American Activities and former secretary of the National Negro Congress, cited as a subversive organization by the then Attorney General, was a leading speaker in the panel on constitutional rights of the first conference in 1938 and the 500 delegates applauded his report. He was also vice president of the conference (Daily Worker, November 22, 1938, p. 6; April 17, 1940, p. 4).

Edward E. Strong has been described by James W. Ford, Communist vice presidential candidate, as "a coming leader of the Negro people." Strong is the secretary of the National Negro Congress. He has been a contributor to the Communist youth magazine, the Champion, and signer of a statement in March 1941, defending the Communist Party. Strong was a prominent speaker in the panel on youth problems in the 1938 session of the Southern Conference on Human Welfare,

together with Howard Lee, attorney for Oscar Wheeler, Communist candidate for Governor of West Virginia. Strong was elected a member of the executive committee of the Council of Young Southerners, described on its letterhead as having "its origin at the Youth Commission of the Southern Conference for Human Welfare." Edward E. Strong was one of the sponsors of the American Peace Mobilization.

It might be mentioned here that the Communist Daily Worker for September 3, 1940, page 4, has Herbert Long and Howard Lee as the leaders for the Southern Conference for Human Welfare, in the American Peace Mobilization. Lee, former executive secretary of the SCHW, signed the "call" for the April 5-6, 1941, American People's Meeting. This APM meeting was opposed to war because Stalin and Hitler at that time were allies. Lee served as a panel member at a preliminary session—April 19-20, 1940, Washington, D. C.—which finally, in June, evolved as the National Federation for Constitutional Liberties. Lee was a sponsor of the Committee To Defend America by Keeping Out of War, which organization was the immediate predecessor of the Communist-contrived American Peace Mobilization. The Reverend John B. Thompson, then—1940—the chairman of the SCHW, became chairman of the Committee To Defend America by Keeping Out of War.

Herman C. Nixon was elected executive secretary of the Southern Conference for Human Welfare in 1938. He had been forced out of Tulane University for his radical views. He had been cochairman of the Citizens Committee To Investigate Vigilantism in Gadsden, Ala., an offshoot of the International Labor Defense, and a member of the National Committee for People's Rights and of the provisional committee of the National Conference on Constitutional Liberties. The International Labor Defense, as well as the last two committees named, have been cited as subversive by the Attorney General. Nixon's book, Forty Acres and Steel Mules, was highly praised by Robert F. Hall, Communist Party secretary for Alabama, in the New South of February 1939, page 10.

The Communists are showing their hand everywhere today. Their activities are a real threat to the safety of this country.

Mr. President, I have received a telegram from the Communist outfit here in Washington. They are ruthless. They believe in doing things by force. They resort to force. They propose to destroy and take charge by force. Listen to this:

We, 400 Washingtonians assembled at a Lenin memorial meeting called by the Communist Party, repudiate the shameful position you have taken in aiding the filibuster of Senate bill 101.

I received this telegram before I had opened my mouth. I suppose they knew what was coming.

Any man who denies the right of employment regardless of race, creed, color, or national origin brings contempt upon our Nation.

Why did they not also say sex and age? If anyone ought to be protected in employment, it is the poor widow with children to support, or the girl who is working for a widowed mother. They ought to be given a chance to work.

You have proven yourself incapable of representing us as chairman of the Senate District Committee. We demand your immediate resignation.

ELIZABETH SEARLE,  
Chairman, Communist Party.

WASHINGTON, D. C.

If the telegram were not so downright silly I would have something to say about it.

At the April 1942 sessions of the Southern Conference for Human Welfare, James Dombrowski was elected executive secretary. We are now getting to the meat of the coconut. He was the signer of a statement defending the Communist Party in March 1941 and a speaker for the National Conference for Constitutional Liberties in 1940. The latter organization was cited as subversive by the then Attorney General. At the June 1940 Washington, D. C., Conference on Constitutional Liberties, the National Federation for Constitutional Liberties was launched, which, in turn, is controlled by the CIO-PAC, and also follows the Communist Party line. At this same meeting, Elizabeth Gurley Flynn, a member of the national committee of the Communist Party, also spoke. The Birmingham, Ala., honorary president of the SCHW, namely, the Honorable Louise O. Charlton signed a petition to the House in June 1943, not to continue the life of the so-called Dies committee. She showed her status when she signed that petition. James A. Dombrowski also signed, as did likewise Prof. Alva W. Taylor, secretary-treasurer of the SCHW.

They wanted no Dies Committee on Un-American Activities. They did not want any investigation, because they knew that when the light was turned on, their little scheme would blow up. I propose to turn it on and keep it on.

Mr. TAYLOR. Mr. President, will the Senator yield?

Mr. BILBO. I yield.

Mr. TAYLOR. I think the Dies committee was a miserable inquisition. I have no use for it either, and I would sign any document to do away with it at any time. If it had investigated impartially, and had investigated Fascists as well, it might have had some merit.

Mr. BILBO. While the Senator is on his feet, let me ask him what he thinks of the present House Committee on Un-American Activities?

Mr. TAYLOR. I have not paid very much attention to it. It has not been in the headlines enough for me to form an opinion of it.

Mr. BILBO. But the Senator was opposed to the Dies committee.

Mr. TAYLOR. I was opposed to its tactics.

Mr. BILBO. I will not call the Senator a Communist because he makes that statement, but I will say that all the Communists were against it.

Mr. TAYLOR. The Senator can call me a Communist if he wishes. It would



not be the first time I have been called one.

Mr. BILBO. I shall not do so because I have a very high regard for my colleagues. In fact, I love them all. I may not agree with them at all times.

Mr. TAYLOR. Let me return the compliment. I can in all truth say that on many occasions when I have been asked about "this man Bilbo" I have truthfully replied, "He is a very likable cuss." [Laughter.]

Mr. BILBO. I can say the same for my colleague from Idaho. After he has sat here for about 5 years perhaps he will begin to take form as a Senator.

Communist-front organizations and unions under the Communist aegis followed the lead of the Communist Party in building the Southern Conference for Human Welfare. Among these groups were the following: University of Virginia Chapter of the American Student Union—Student Almanac, page 44; International Labor Defense—Yearbook, 1939-41, page 25—official "legal-aid society" of the Communist Party, of which Congressman VITO MARCANTONIO is chairman; New South—October 1938, page 15; Workers Alliance—Daily Worker, November 21, 1938, page 1; Labor Research Association—pamphlet, Southern Labor in Wartime, page 22; and the American Federation of Teachers, which was at that time under Communist control—American Teacher, December 1938, page 7.

All the Communist fronts of every kind and description that the Communists have been able to organize in this country, and especially in the South, are a part of the Conference for Human Welfare about which I am now speaking. They all head up in this organization. As I stated a while ago, they have fooled some pretty decent people. They have misled many. The average man does not have the opportunity to investigate the origin, purposes, and objectives of such an organization.

At a meeting of the same Conference for Human Welfare in New York Mrs. Roosevelt was awarded the Jefferson award. The conference came to Washington and gave the same award to this McLeod woman from Florida, who is a Negro woman. Not long ago the conference held a big dinner in Washington and induced some very respectable people to attend. It gave one of these awards to Hugo Black, one of the Justices of the Supreme Court.

Mr. TAYLOR. I was there.

Mr. BILBO. The Senator had a right to be there. I myself sent a man there, but they kicked him out. I sent a man there to make a record of the speeches which were made, because I knew that someone would let the cat out of the bag. I knew all the time what was behind this organization. I knew it was a Communist front. Finally, I obtained copies of the speeches, and, lo and behold, what I expected happened. I learned that some Negroes were present. I think approximately 75 Negroes were present, some of them sitting at the head tables. The Negro Houston made a speech and spilled the beans. He let the world know why Hugo Black was there and was being given the Jefferson award. Judge Black

delivered the opinion in the Texas primary case. This Negro did not have any better sense than to spill the beans at the party. I knew that someone would leak, if I could only obtain copies of the speeches. The Senator caught the point when he was there, did he not?

Mr. TAYLOR. Yes; I was there.

Mr. BILBO. I wanted to know whether or not the Senator had caught the point.

The most conclusive proof of the Communist domination of the Southern Conference for Human Welfare is to be found in the organization's strict and unvarying adherence to the line of the Communist Party in the field of foreign policy. It is also a clear indication of the fact that the real purpose of the organization was not human welfare in the South, but rather to serve as a convenient instrument for support of the current Communist Party line.

That is why they are sending so many telegrams to Washington with regard to the FEFC.

In 1938, when the Communist Party was advocating "collective security of the democracies against the Fascist aggressors," a letter of greeting from President Roosevelt brought 2,000 Southern Conference delegates to their feet cheering—Daily Worker, November 22, 1938, page 1. The Southern Conference voted to endorse "An American peace policy, such as proposed by President Roosevelt and Secretary of State Hull, to promote the national security of our country, to curb aggression and assist the democratic peoples of the world to preserve peace, liberty, and freedom."

The change of the Communist line resulting from the signing of the Stalin-Hitler pact was reflected in the Southern Conference for Human Welfare, at its meeting in April 1940. Robert F. Hall, secretary of the Communist Party of Alabama, acting as the Communist whip, presented an eight-point program which demanded "an uncompromising peace policy." A few liberals in the conference supported the policy of the Roosevelt administration against Hall's program. At one stage there was a threat of fisticuffs. But the liberals were no match for the Communists, who castigated them with the high crime of being anti-Soviet. The thousand delegates denounced war and pro-allied propaganda, as threatening America with war. They declared themselves unalterably opposed to loans to the Allies and other belligerents, and denounced war appropriations at the expense of the welfare of the American people at home.

The rift between the Communists and the few liberals was quickly healed as soon as Hitler invaded the Soviet Fatherland and the Communists suddenly relinquished their unalterable opposition to the war. Wholehearted agreement marked the sessions of the conference held on April 19, 20, and 21, 1942, devoted to "the South's part in winning the war for democracy." The convention demanded that all join in a great offensive now, to work, to produce, to sacrifice, to win—Daily Worker, April 23, 1942, page 3.

After Hitler invaded Russia they changed their whole front overnight. They were then ready to go to bat.

The stand of the Southern Conference for Human Welfare on various other issues in which the Communist Party was primarily concerned has served to confirm the conclusion that the organization is merely a pliable instrument in the hands of Communist wirepullers.

The youth section of the SCHW affiliated itself with the Communist-begotten Coordinating Committee to Lift the Embargo—Spain. The CCLE consisted of several score "transmission belt" groups and movements. The youth section is known as the Council of Young Southerners. Malcolm Cotton Dobbs is its executive secretary and James F. Anderson is its administrative secretary. Its offices are located in 201 Presbyterian Building, Nashville, Tenn. One of its sponsors is Mary McLeod Bethune, the colored social worker, friend of Mrs. Eleanor Roosevelt.

Mr. CHAVEZ. Mr. President, will the Senator yield for a question?

Mr. BILBO. Does the Senator propose to inject something at this point?

Mr. CHAVEZ. Oh, no; only a question.

Mr. BILBO. I should like to have this statement continuous in the Record.

Mr. CHAVEZ. Does the good Senator from Mississippi consider Bishop G. Bromley Oxnam, of the Federal Council of Churches of Christ in America, a Communist?

Mr. BILBO. He is not only communistically inclined, but he is a social-equality Negro lover of the deepest dye.

Mr. CHAVEZ. Nevertheless, he is the bishop—

Mr. BILBO. I do not care what he is the bishop of. The Senator asked me about Oxnam's views. I will bring the Senator the proof tomorrow if he wishes it.

Mr. CHAVEZ. If the Senator has any proof, I am willing to be convinced.

Mr. BILBO. Certainly.

Mr. CHAVEZ. Would the good Senator from Mississippi, who dislikes Communists as much as I do—communism, I should say; I do not dislike Communists, but I hate communism. I could not dislike any person.

Mr. BILBO. The Senator loves Communists but hates communism; is that it?

Mr. CHAVEZ. I just try to follow Christ. I could not dislike anyone.

At any rate, would the good Senator from Mississippi consider Monsignor Ryan, of the Catholic Church, to be a Communist because of his views in regard to this bill?

Mr. BILBO. When God has put his hand on a man, I take mine off. Monsignor Ryan is dead.

Mr. CHAVEZ. Yes; God, in his wisdom, works in a peculiar fashion.

I do not know whether the Senator knows Bishop Shelly; but would the good Senator from Mississippi, who is so broadminded, say that Bishop Shelly, of the Catholic Church of Cleveland, or Archbishop Byrne, of the oldest Catholic diocese in the country, at Santa Fe, N. Mex., or Bishop Lucey, of the Catholic Church at San Antonio, are Communists? Would the Senator consider such persons to be Communists?

Mr. BILBO. Mr. President, if I did not think the Senator was high-minded and honorable, and did not possess any low traits of chicanery, I would think that his question indicated that he was trying to make a statement which the press could use in an attempt to show that Bilbo was against the Catholics. I am not against the Catholics. Some Catholic priests in Mississippi are making the same fight that I am making.

Mr. CHAVEZ. I assure the Senator that that was not the purpose.

Mr. BILBO. Well, the Senator from New Mexico is a Catholic and he should know about the priests of the Catholic Church. So when the Senator from New Mexico gets the floor in his own right he can tell the Senate all about the Catholics and what they believe and what they stand for. I will take care of the Baptists and Methodists. [Laughter.]

Mr. CHAVEZ. Very well. Mr. President, I wish to find out whether the Senator from Mississippi thinks that only Communists are in favor of this bill.

Mr. BILBO. I did not say that. I just got through telling the Senator from Idaho that all the Communists are for the bill but that everyone who is for the bill is not a Communist. Does the Senator from New Mexico understand that?

Mr. CHAVEZ. I certainly do.

Mr. BILBO. Very well. I wish to see the color of the hair of some Communist who is not in favor of this bill. Trot one out, if you please. The idea of the bill was conceived and planted in the head of A. Philip Randolph and Walter White, who are in close touch with the Communist set-up, and they are the ones who threatened President Roosevelt with a march of 100,000 Negroes on Washington; and in order to stave it off and keep from having such a riot in Washington at the beginning of the preparations for the war, President Roosevelt issued Executive Order 8802. That is where the baby was born, and now the Senator from New Mexico is trying to keep it alive.

Mr. CHAVEZ. Mr. President, does the Senator think that is what makes the present President favor this proposed legislation?

Mr. BILBO. I am sorry the Senator from New Mexico was not here when I discussed that point.

Mr. CHAVEZ. I am sorry.

Mr. BILBO. If Senators do not understand the situation, let them read the newspapers and what they say about the FEPC.

Mr. CHAVEZ. I am glad the Senator from Mississippi reads some newspapers.

Mr. BILBO. Yes; but not all of them come from New Mexico.

Mr. CHAVEZ. They do not.

Mr. BILBO. I say that every Negro newspaper of the country makes front-page news and devotes its editorials and articles to matters in the interest of the FEPC. The report of the committee indicates that it is largely acting in the interest of this particular minority and that it is for it.

Mr. CHAVEZ. Mr. President, will the Senator yield for a question?

Mr. BILBO. I yield.

Mr. CHAVEZ. The Senator from Mississippi does not consider the Washington Post a Negro newspaper, does he?

Mr. BILBO. No, sir; it is Jewish. [Laughter.]

Mr. PEPPER. Mr. President, will the Senator yield to me?

Mr. BILBO. I will yield to the Senator from Florida, to permit him to introduce a bill, if it is not a bill for the FEPC, and if by yielding to him I will not lose the floor.

Mr. PEPPER. I ask unanimous consent that the Senator may yield to me under those conditions. Out of order, I ask unanimous consent to introduce a bill for appropriate reference.

The PRESIDENT pro tempore. Without objection, the bill will be received and appropriately referred.

(The bill S. 1779 introduced by Mr. PEPPER (for himself, Mr. GEORGE, Mr. LA FOLLETTE, and Mr. TAFT) appears under the heading "Bills introduced" earlier in today's RECORD.)

Mr. MYERS. Mr. President, will the Senator yield to me, to permit me to introduce some matter to be printed in the RECORD?

Mr. BILBO. I yield for that purpose, if by doing so I do not lose the floor.

Mr. MYERS. I ask unanimous consent to have printed in the RECORD a letter including a resolution which has been addressed to me.

Mr. BILBO. None of that material is from the Philadelphia Record; is it?

Mr. MYERS. No. The Senator did not wish me to request unanimous consent to submit articles from the Philadelphia Record; did he?

Mr. BILBO. No; because I wish to have the pleasure of doing that myself; and I shall attend to that later.

The PRESIDENT pro tempore. Without objection, the resolution presented by the Senator from Pennsylvania will be received and appropriately referred.

(The resolution presented by Mr. MYERS appears under the appropriate heading later in today's RECORD.)

Mr. BILBO. Mr. President, the Southern Conference for Human Welfare received financial assistance from the Red-aiding Robert Marshall Foundation. When Robert Marshall, Chief Forester of the United States of America, passed on to his reward, his will left bequests for aiding Communist-front groups. He was a radical millionaire, and his brother George had been chairman of the National Federation for Constitutional Liberties. On January 7, 1941, the foundation sent the Southern Conference for Human Welfare a check for \$500, and on May 4, 1942, a check for \$1,000.

Mr. President, I wish everyone to understand that this Communist outfit not only is behind the FEPC but also is behind the anti-poll-tax proposal. I have in my files a photostatic copy of a check which this Communist outfit received directly from across the sea. The check was a donation to the National Committee for Repeal of the Poll Tax.

The other day I received from Los Angeles, Calif., a letter stating that the National Committee for Repeal of the Poll Tax had flooded Los Angeles with appeals for money to help it prosecute

the campaign for the repeal of the poll tax. That shows that these organizations are rackets. That is all they are. If anyone who has sense enough to understand will sit down for 5 minutes and study this matter, I can convince him that the poll tax has nothing on earth to do with the question of having Negroes in the South vote or not vote. It has nothing on earth to do with that question. Under the constitution of my State, persons who reach the age of 60 years do not have to pay a poll tax. After they reach the age of 60 they are no longer subject to paying the poll tax. The best estimate I can obtain is that there are between 75,000 and 100,000 Negroes in Mississippi who are over 60 years of age, and who do not have to pay a poll tax—but they do not vote.

Mr. CHAVEZ. What keeps them from voting?

Mr. BILBO. I am glad the Senator from New Mexico asked that question. They are not qualified to vote; that is all. The poll tax has nothing to do with their failure to vote.

But this racket about repeal of the poll tax is nothing but a racket, and some people are making good money out of it. A number of unsuspecting "easy" people over the country who have plenty of money think they are rendering a service by contributing to that program.

William L. Patterson, Communist candidate for mayor of New York—1940—in an article in the April 26, 1940, Daily Worker, linked the Communist National Negro Congress, the Southern Negro Youth Congress, and the Southern Conference for Human Welfare together. He knew about the combination. He knew how they were linked up. The Communist-front Social Work Today magazine, in its June 1940 and May 1942 issues, praised the work of the Southern Conference for Human Welfare.

Mr. President, the report from which I have been reading further states:

An examination of the files of the Southern Patriot, the official organ of the Southern Conference for Human Welfare, discloses a very definite following of the Communist Party line and Communist Party ideology, plus support for the carrying out of the legislative program of the CIO.

The Southern Patriot is published at Nashville.

James A. Dombrowski has been its editor from the very beginning. The first issue appeared in January 1943, and the editorial board has consisted of Dr. Will A. Alexander—

I shall refer to him shortly—  
Dr. Clark H. Foreman—

I shall refer to him, too—

Helen Fuller, and Dr. Ira De A. Reid. The Southern Patriot has been issued without intermission from volume 1, No. 1, January 1943, to volume 3, No. 10, October 1945, up to the time of the issuance of this report.

Mr. President, I wish to yield the floor to my distinguished leader, the Senator from Kentucky [Mr. BARKLEY], with the understanding that if a recess is taken I shall be able to resume my remarks when the Senate meets at 12 o'clock tomorrow.



Mr. CHAVEZ. Of course, Mr. President, I do not wish to have it understood that the Senate will take a recess after the Senator from Kentucky has concluded his remarks.

Mr. BARKLEY. No; at the moment I was not contemplating the making of a motion to take a recess.

Mr. BILBO. I thought perhaps the Senator from Kentucky would speak up until the time of the taking of a recess.

Mr. BARKLEY. I wish to request the Senator to yield to me so as to enable me to make remarks which are particularly appropriate today.

The PRESIDENT pro tempore. Does the Senator from Mississippi yield to the Senator from Kentucky?

Mr. BILBO. Yes; I yield for that purpose, with the understanding that I do not yield the floor.

Mr. BARKLEY. I have no purpose to take the Senator off the floor, although I would not be averse to taking him off the floor if I could keep him off. However, I realize I cannot do so, and I have no purpose to take him off the floor.

Mr. BILBO. The Senator is quite correct.

#### TRIBUTES TO FRANKLIN D. ROOSEVELT AND HARRY L. HOPKINS

Mr. BARKLEY. Mr. President, I have asked the Senator from Mississippi to yield to me in order that I may occupy the floor of the Senate for only a few minutes.

I invite attention to the fact that today is the anniversary of the birth of the late Franklin D. Roosevelt. If he had lived until today he would have been 64 years of age. He died on the 12th of April 1945.

I do not intend to enter into any panegyric or eulogy on the late President Roosevelt as a man or as the late Chief Executive of this Nation. On the occasion of his death I expressed a few sentiments in regard to him and his great work. I now wish merely to invite the attention of the Senate and of the country—if my voice reaches beyond these walls—to the fact that today marks the anniversary of his birth. I think we might well pause and contemplate for a moment the place which he occupies in our minds, and will occupy in the history of this country and of the world.

Mr. President, we are too close to Franklin Delano Roosevelt to be impartial judges of the place which he will occupy ultimately in history. As I stated on a former occasion, all great men are endowed with great virtues and great faults. Franklin Roosevelt was no exception to that rule. But just as it might be said of Washington, Lincoln, Jefferson, Theodore Roosevelt, and Woodrow Wilson, his great virtues so outnumbered his faults that in the verdict of history it is my opinion that his virtues and his positive contribution, not only to the welfare of this country but to the welfare of mankind, will be depicted in a manner which will be eminently satisfactory to all his admirers, and not disagreeable to those who disagreed with him, or those who did not admire him while he was alive and while he was the head of this great Nation.

As I have already said, Mr. President, I merely wish to invite attention to this

day, and to reiterate my conviction that the verdict of history will accord Franklin Delano Roosevelt a place as high as that which has been accorded to any man who has influenced the destiny of the United States or the destiny of the world. As between his influence on the affairs of the United States of America and the people of the United States, and his influence upon world affairs, I am not sure that the proportion will not be greater with respect to his influence on world events than upon events which transpired within the United States of America. I am sure that most, if not all, of us here will live to see the day when he will be accorded such place in the history of this country and of the world.

Mr. President, while I am on my feet I may also invite attention to the unfortunate occurrence on yesterday of the death of one of Mr. Roosevelt's most intimate friends in office and out of office. It is altogether fitting to link those two men in what little I have to say. I refer, of course, to Mr. Harry L. Hopkins. I do not recall that prior to the inauguration as President of the United States of Mr. Roosevelt on the 4th of March 1933, I had ever heard of Harry Hopkins. I am not sure that at that time any other Member of the Senate knew him or had known of him. He became intimately associated, officially and personally, with the late President Roosevelt. I would say that he became perhaps Mr. Roosevelt's most intimate friend and adviser. We all know that every President of the United States, no matter what his political affiliations may be, must have and always does have some unselfish friend, some unselfish adviser, upon whom he leans for guidance and counsel in the intimate hours when the world is not looking on. That statement is also true of men holding lesser offices than that of President of the United States.

Those of us who are old enough recall, and those who cannot recall have read, that Theodore Roosevelt had one or more such intimate friends. He had a kitchen cabinet which was not composed of the higher echelons of political preferment, but consisted of certain persons upon whom he relied steadfastly, and with whom he counseled intimately. The same was true of Woodrow Wilson, William McKinley, and Abraham Lincoln. So, Mr. President, it is not strange that a man who is occupying the great office of President of the United States should have one or several persons upon whom he may rely for unselfish counsel and advice. It would be strange if that were not true.

In Mr. Harry Hopkins, regardless of what anyone may have thought of his theories in connection with social and political matters, and regardless of what anyone may have thought of his ability as an administrator, the President of the United States had an intimate friend and counselor with whom he could sit down in the quiet hours of the evening or the night and discuss matters both from the standpoint of policy, and from the standpoint of the welfare of the country.

I believe it is true, Mr. President, that in all Mr. Hopkins' public relations not only with Mr. Roosevelt, but with others

who were associated with him in executive and legislative departments of the Government, he never used his influence, or his advice, or his power for his own selfish interests or his own selfish advancement.

I feel that he is entitled to have that brief comment made upon his contribution to the administration of Mr. Roosevelt with which he was associated from its beginning. Now that he has passed from among us at the age of 55, which is but the prime of life, we are entitled to look upon his activities and his conduct while he was associated with the Government of the United States. I take it for granted that during his mature life he sought, according to his own lights and his own beliefs, to advance the welfare of humanity and make a contribution to its advancement without regard to any personal ambitions, or any personal selfish wishes which he might accomplish by reason of them.

Personally, I was on intimate terms with Mr. Hopkins during those years. Sometimes I agreed with him and sometimes I did not. That was the privilege of all of us. I always found him sincere, forthright, and honest in the expression of his views. On no occasion did I ever find that he sought by any duplicity to deceive either me or others with whom he had dealings.

I personally mourn as a friend the loss of Harry Hopkins. I mourn him as a public servant and as an American. I wish to express my sympathy to all his family and friends in his untimely death.

Mr. WHITE. Mr. President, if I may do so I should like to say a brief word.

I hesitate to trust to extemporaneous words, but I should feel remiss if I remained silent to what has been called to our attention by the Senator from Kentucky.

Mr. Roosevelt lived through tremendous days in the life of our Nation. He took part in events which shook this world to its very foundations. What history will say of him, I do not know. But he had an indomitable spirit which bound to him millions of Americans with an affection which is rarely felt toward public men. I feel that Mr. Roosevelt will be accorded a high place among those who have served this country during its entire life. I join with the Senator from Kentucky in expressing regret that this great spirit was called from us by the untimely hand of death.

Mr. President, I knew Mr. Hopkins only casually. I suppose that I never talked with him more than half a dozen times in all my life. But I have a definite recollection of my contacts with him at a time of great political stress in my campaign of 1936 when the hosts of democracy came very near committing a mistake in the State of Maine. I remember talking at that time with Mr. Hopkins about some of our State-of-Maine problems. I cannot forget the graciousness with which he received me, and the frankness with which he talked. I had a high opinion of his ability.

I join in expressions of deep regret to Mr. Hopkins' family for the loss which has come to them, and for the loss which has come to the public service through his death.

Mr. BARKLEY. Mr. President, I thank the Senator from Mississippi for yielding.

Mr. BILBO. It was a pleasure to yield.

Mr. CHAVEZ. Mr. President, I wonder if the Senator from Mississippi will, without losing the floor, yield to me for a brief observation?

Mr. BILBO. I yield.

Mr. CHAVEZ. I wish to join with the Senator from Kentucky and the Senator from Maine in paying tribute to the great services rendered the country by the late President Roosevelt. The Senator from Kentucky has spoken of his virtues and his faults. Of course, we all know he had both faults and virtues, but to my mind the greatest and most outstanding virtue he had was that of loving humanity. Certainly he brought it to the point of impressing it upon the American people when he recommended legislation such as the bill we are now discussing.

I thank the Senator from Mississippi for yielding.

#### OBSERVANCE OF BIRTHDAY OF FRANKLIN D. ROOSEVELT—RESOLUTION OF JEWISH YOUTH SENIORS

Mr. MYERS. Mr. President, I ask unanimous consent to present for printing in the body of the RECORD a letter from Morris A. Barowsky, national president, American Jewish Youth Seniors, Philadelphia, Pa., embodying a resolution adopted by that organization at its convention at the St. Charles Hotel in Atlantic City, N. J., on December 9, 1945. The resolution requests Congress to adopt a resolution designating the 30th day of January, which is the birthday of Franklin D. Roosevelt, to be observed each year on the same plane as the birth dates of George Washington and Abraham Lincoln.

There being no objection, the letter embodying the resolution was ordered to be printed in the body of the RECORD, as follows:

PHILADELPHIA HEADQUARTERS,  
AMERICAN JEWISH YOUTH SENIORS,  
Philadelphia, Pa., December 26, 1945.

HON. FRANCIS MYERS,  
Philadelphia, Pa.

DEAR SIR: On December 9, 1945, at the St. Charles Hotel in Atlantic City, N. J., we, the American Jewish Youth Seniors, held our seventh annual convention.

Part of our procedure is to draw up a set of resolutions which are carried out to the fullest extent by our units in an effort to uphold democracy and combat bigotry and all activities contrary to the American way of living. Among the resolutions unanimously passed by our delegates was:

"Whereas between the years 1932 to 1945 the Executive seat of the United States of America was occupied by a man who was a great believer in democracy and the freedom from tyranny of all races, creeds, and colors; and

Whereas he being a true benefactor of mankind, caused to be given to the world ideals which shall exist forever in the hearts of man. Franklin D. Roosevelt gave his life to our country in carrying out the ideals of a true democracy: Now, therefore, be it

Resolved That the Congress of the United States shall pass a resolution designating the 30th day of January of each year be observed on the same plane as are the birth of George Washington and Abraham Lincoln."

The above resolution was brought to the attention of the American public by the Philadelphia Evening Bulletin, Philadelphia

Enquirer, Atlantic City Press, and other prominent New Jersey and New York papers. We have also brought the above to the attention of the New York Post and PM.

We are bringing this to your attention in the hopes that you will do your utmost in helping a grateful American Nation commemorate the birth of a great American, Franklin Delano Roosevelt.

Thank you for your cooperation in this matter.

Respectfully yours,

MORRIS A. BAROWSKY,  
National President.

JOURNAL OF THURSDAY, JANUARY 17, 1946

The Senate resumed the consideration of Mr. HOEY's motion to amend the Journal of the proceedings of the Senate of Thursday, January 17, 1946.

Mr. CHAVEZ. Mr. President, if it is in accordance with the wishes of the Senator from Maine [Mr. WHITE], the minority leader, I think we have gone far enough today, and perhaps the Senator from Mississippi may get some new ideas if we recess until tomorrow. In keeping with that, I move that the Senate take a recess until 12 o'clock tomorrow.

Mr. MEAD. Mr. President, will the Senator withhold the motion for a moment?

Mr. CHAVEZ. I do.

Mr. MEAD. I am very anxious to get the floor in my own time, without getting it in a roundabout way, and without making certain agreements and arrangements with some other Member of the Senate. I wish to talk about the bill which is pending before the Senate, and I should like to have the floor in my own time. I tried to obtain recognition on one occasion, but a Senator who rose after I rose was given recognition over me.

The PRESIDENT pro tempore. If that happened, it happened without the knowledge of the present occupant of the chair.

Mr. MEAD. The present occupant of the chair was not in the chair at the time.

The PRESIDENT pro tempore. I thank the Senator.

Mr. MEAD. I am going to agree to the Senate recessing at this time, but I am not going to agree to an early recess tomorrow. I am going to see to it, if I can, that the Senate remains in session for quite some time, until those of us who have been criticized for our support of the bill and who would like to speak about the bill, may have an opportunity to present the other side.

The PRESIDENT pro tempore. If the Senator will rise to his feet within the sight of the Chair and address the Chair, he will be recognized if he rises first.

Mr. MEAD. I appreciate that. That gives me great encouragement. But I am somewhat doubtful about my opportunity of competing with my colleagues who are opposing this issue, because of the fact that it seems to me that when the present occupant of the chair leaves the chair, someone takes the chair who is not very friendly to my side of this controversy.

Mr. RUSSELL. Mr. President, I wish to say just a word, because I am becoming a bit tired of the innuendos and the implications and the charges which are

being made by some of those who are advocating the pending measure. I have observed that one or two of them sit around the Senate pretty regularly, but a great many merely come in at intervals to enter a protest because the Senate does not stop the transaction of all its business to await their pleasure and let them speak just when they wish to speak.

Since I have been a Member of this body, for 13 years, there have been a number of times when Senators have desired to address themselves to issues which perhaps were not so controversial, from a political standpoint, as Senate bill 101, who addressed the Chair a number of times and were not recognized because other Members of the Senate happened to be seen by the Presiding Officer first. I have waited around the floor for several days on other bills to get a chance to offer an amendment. The Chair can only recognize one Senator at a time. That is evident. But on this particular measure, in the effort that is being made to spread this campaign of poison against those of us who are opposing it, there have been these innuendos and these false charges and these intimations that there has been unfair treatment of Senators who wish to speak on the bill.

For my part, as one who is opposing this infamous legislative proposal, I resent that attitude. It is in keeping with what has happened here when Senators who were for the bill objected day after day to the introduction of any measure, or to the reception of even a committee report, and who then rushed out to the newspapers and charged that those who were opposing the bill were stalling all progress in the Senate because we would not let them pass this bill until it was fully discussed. They objected even to the introduction of important legislation because they could not impose their will upon us, and sought to make us responsible for their actions in delaying normal procedure here.

Mr. President, I say that is merely a part of this whole concerted scheme. Let Senators remain here on the floor and address the Chair, and they will be recognized. I have seen Senators seek recognition time after time before being recognized, but this is the first time I have seen these crybaby tactics of getting up and complaining that the Chair has been unkind to them because he does not recognize them at once when other Senators are seeking recognition. It is like the inferences made about the present distinguished occupant of the Chair because, forsooth, he happens to come from a Southern State, that he has not dealt fairly or would not deal fairly. I say that is a subterfuge, and I resent it. I say it is contemptible, because there is not a man who knows the Senator from Tennessee but knows that whatever might be his views as one of the stoutest fighters of the Senate, he is fair, and as a Presiding Officer he will take his rulings from the Parliamentarian who has been selected by the Senate. It is merely a part of the campaign here to build up feeling in this body and encourage Senators to strike down our rights to discuss the pending bill, and attempt to get the Senate to override the rules of the Senate by a



mere majority vote, and to strangle us on a false pretense of unfair treatment.

Mr. President, I think everyone here should be fair. For my part, I have no objection to those advocating the bill speaking at any time they desire to speak if they first address the chair. Let them remain on the floor and take their chances like any other Senator. Certainly I see no occasion for these imputations and these attacks in the press against the distinguished present occupant of the Chair. I know he is fair, I know his rulings will come from the Parliamentarian, and this campaign does not require that kind of tactics.

The sponsors of the bill talk about our being in a minority. They say they have this great majority favoring the bill. Certainly until the Senator from Tennessee has shown some manifestation of unfairness that has not yet appeared, I think he should be spared this subtle newspaper campaign against him, to the effect that he is ready to violate the rules of the Senate because his personal views happen to accord with those of this body who are resisting this measure.

Mr. MEAD. Mr. President, if I had given serious thought and study to a speech I would believe to be appropriate on this occasion, I would make the same speech for our side that has just been made by my distinguished colleague, the Senator from Georgia. I think that the insinuations and the intimidation and the charges, or nearly all of them, at least, have been hurled at those who are on our side of this controversy.

I for one have said nothing about the present occupant of the Chair, but if the present occupant of the Chair, and if my distinguished colleague who preceded me, will carry out their very encouraging suggestions and give some of us the floor in our own right beginning tomorrow or the day after, so far as I am concerned I shall be entirely satisfied. I shall rise tomorrow, if opportunity presents itself, and the next day, in an endeavor to get the floor in my own right, without any strings attached, and discuss the merits of the bill. I am encouraged by the hope that has been held out here this evening.

#### RECESS

Mr. CHAVEZ. Mr. President, it will be my purpose, commencing tomorrow, to attempt to have the Senate sit a little later. I think recessing at 5:10 o'clock is a little too early, under the present circumstances.

Mr. RUSSELL. Would the Senator mind indicating, for the benefit of Senators who may have engagements and appointments, about how long he intends to have the Senate sit tomorrow?

Mr. CHAVEZ. I would say to the Senator from Georgia that I do not think it would be unreasonable or unfair that we should remain in session until 6 o'clock.

Mr. RUSSELL. I do not think that will be unreasonable. I think all Senators would like to have some idea as to how long they are to be kept here.

Mr. CHAVEZ. That is what I have in mind. I now move that the Senate take a recess until tomorrow at 12 o'clock noon.

The motion was agreed to; and (at 5 o'clock and 10 minutes p. m.) the Senate took a recess until tomorrow, January 31, 1946, at 12 o'clock meridian.

## HOUSE OF REPRESENTATIVES

WEDNESDAY, JANUARY 30, 1946

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Thou compassionate Father whose goodness never faileth, bestow upon us that vision which enlarges the whole scope and sphere of our outlook, that in the joy of serving we may find ourselves. Hold us closely to the things we know to be right and let these work mightily against the things we know to be wrong. We pray that in all situations we may be tolerant and forbearing, with the realization that it takes men and women of strength to face criticism and to serve with sacrifice. Do Thou bless all influences which inspire greater unity and cooperation, through the diligent and honest industry of all our citizens. We pray that our laws may be so justly and so wisely administered that our Government shall be a living example to all lands. Keep before us, not success, not greatness, not victory, but fidelity to the public good. O Eternal Goodness, lead our spirits from all discordant notes, and give them true respite from wearying toil. In Christ's name we pray. Amen.

The Journal of the proceedings of yesterday was read and approved.

#### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Miller, one of his secretaries.

#### CERTIFICATES OF ELECTION

The SPEAKER laid before the House the following communications, which were read by the Clerk:

##### OFFICE OF THE CLERK,

##### HOUSE OF REPRESENTATIVES,

Washington, D. C., January 30, 1946.

The Honorable the SPEAKER,

##### House of Representatives.

SIR: From the secretary of state of the State of North Carolina, I have received the certificate of election of Hon. SAM J. ERVIN, Jr., as a Representative-elect to the Seventy-ninth Congress from the Tenth Congressional District to fill the vacancy caused by the death of Hon. Joe W. Ervin.

Very truly yours,

SOUTH TRIMBLE,

Clerk of the House of Representatives.

##### OFFICE OF THE CLERK,

##### HOUSE OF REPRESENTATIVES,

Washington, D. C., January 30, 1946.

The Honorable the SPEAKER,

##### House of Representatives.

SIR: From the secretary of the Commonwealth of the State of Virginia, I have received the certificate of election of Hon. J. LINDSAY ALMOND, Jr., as a Representative-elect to the Seventy-ninth Congress from the Sixth Congressional District to fill the vacancy caused by the resignation of Hon. Clifton A. Woodrum.

Very truly yours,

SOUTH TRIMBLE,

Clerk of the House of Representatives.

#### INVESTIGATION OF RAPIDO RIVER DISASTER

Mr. LANHAM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. LANHAM. Mr. Speaker, I am sure it must be gratifying to us all that the Committee on Military Affairs has decided to ask for a full report concerning the Rapido River disaster. No braver boys and no more loyal Americans ever lived than those who were called upon to make the supreme sacrifice in this lamentable episode of the recent war. In this case, as in the one recited in the poem about the "charge of the light brigade," it seems evident that someone had blundered. In justice to the memory of these heroic dead, the responsibility should be determined. Our country needs all of its stalwart sons to carry on the principles for which the early patriots fought in the establishment of our American system of government. Let us see to it that the responsibility be determined and the proper action taken.

#### THE ATOMIC BOMB

Mr. BURGIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BURGIN. Mr. Speaker, I notice in the press and hear over the radio that we continue to manufacture the atomic bomb. The President of the United States and the Prime Ministers of England and Canada have tentatively agreed on a program or an arrangement in an effort to work out some international solution of this question; and, since the Security Council of the United Nations has it under consideration, I suppose a resolution that our Government cease to manufacture the atomic bomb until some international agreement or arrangement is worked out. I see no necessity for continuing the expense of manufacturing atomic bombs if we are going to enter into some agreement for international control. I hope the membership will give this matter consideration.

#### EXTENSION OF REMARKS

Mr. LANE asked and was given permission to extend his remarks in the Appendix of the RECORD and include therein an address he delivered last Sunday evening on the late Franklin D. Roosevelt.

#### FORCE CIVILIANS TO STAND AT ATTENTION

Mr. LANE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, the war is over, though some brass hats do not want to admit it. Far from the scenes